

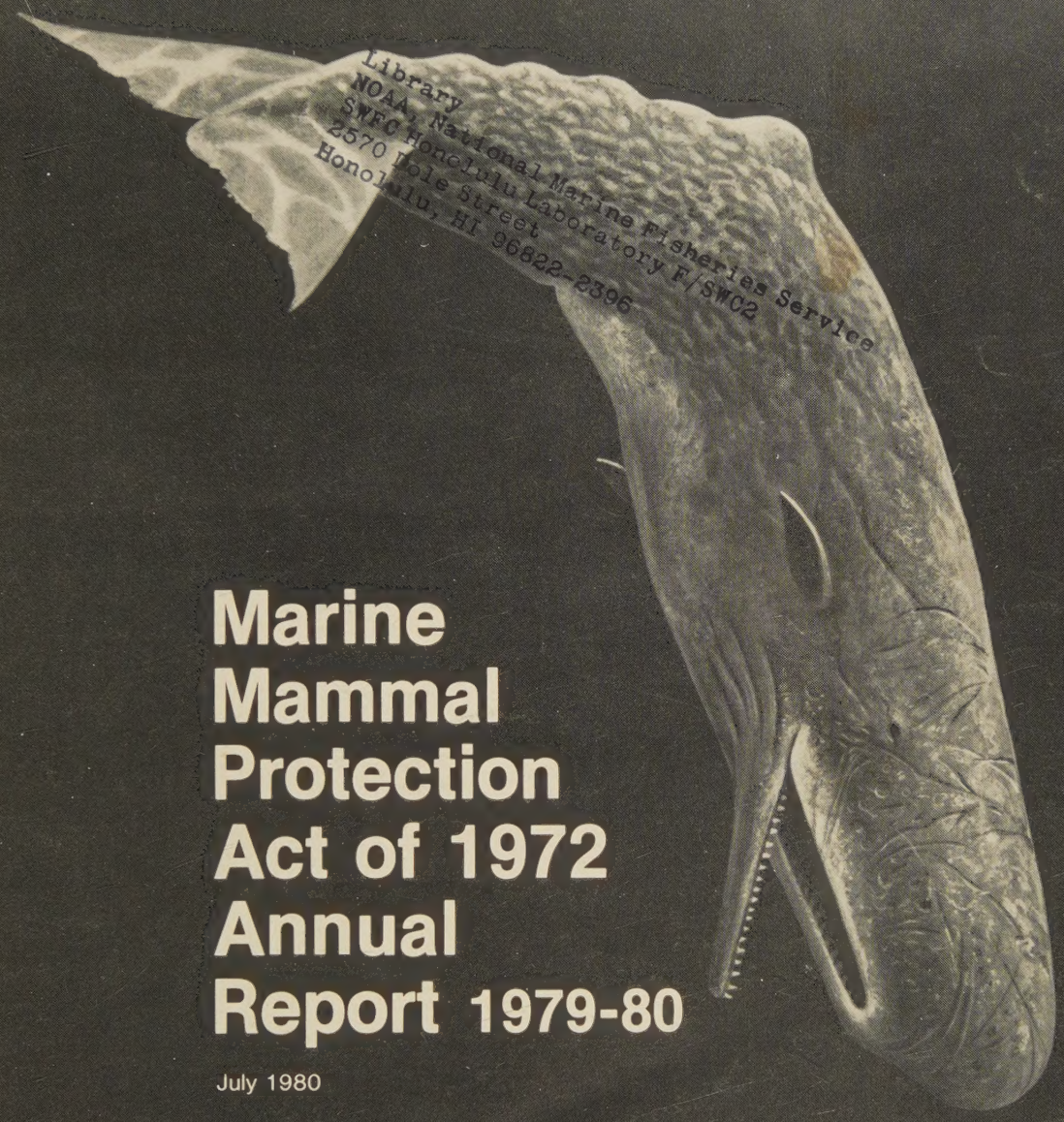
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Marine Mammal Protection Act of 1972 Annual Report 1979-80

July 1980

U.S. DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 National Marine Fisheries Service



Cover:

Painting of sperm whale on front cover
and painting of dusky dolphin on back
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Marine Mammal Protection Act of 1972 Annual Report

April 1, 1979, to March 31, 1980

U.S. DEPARTMENT OF COMMERCE

Philip M. Klutznick, Secretary

National Oceanic and Atmospheric Administration

Richard A. Frank, Administrator

National Marine Fisheries Service

Terry L. Leitzell, Assistant Administrator for Fisheries



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

JUL 22 1980

Dear Sirs:

It is my honor to submit to you the Annual Report of the Department of Commerce concerning administration of the Marine Mammal Protection Act of 1972 for the period of April 1, 1979, through March 31, 1980, as required by Section 103(f) of the Act.

The Act makes the Department responsible for whales and porpoises of the order Cetacea and seals and sea lions of the suborder Pinnipedia. The enclosed report details the activities of the Department concerning these marine mammals.

Sincerely,

Philip W. Klutznick
Secretary of Commerce

Enclosure

President of the Senate
Speaker of the House

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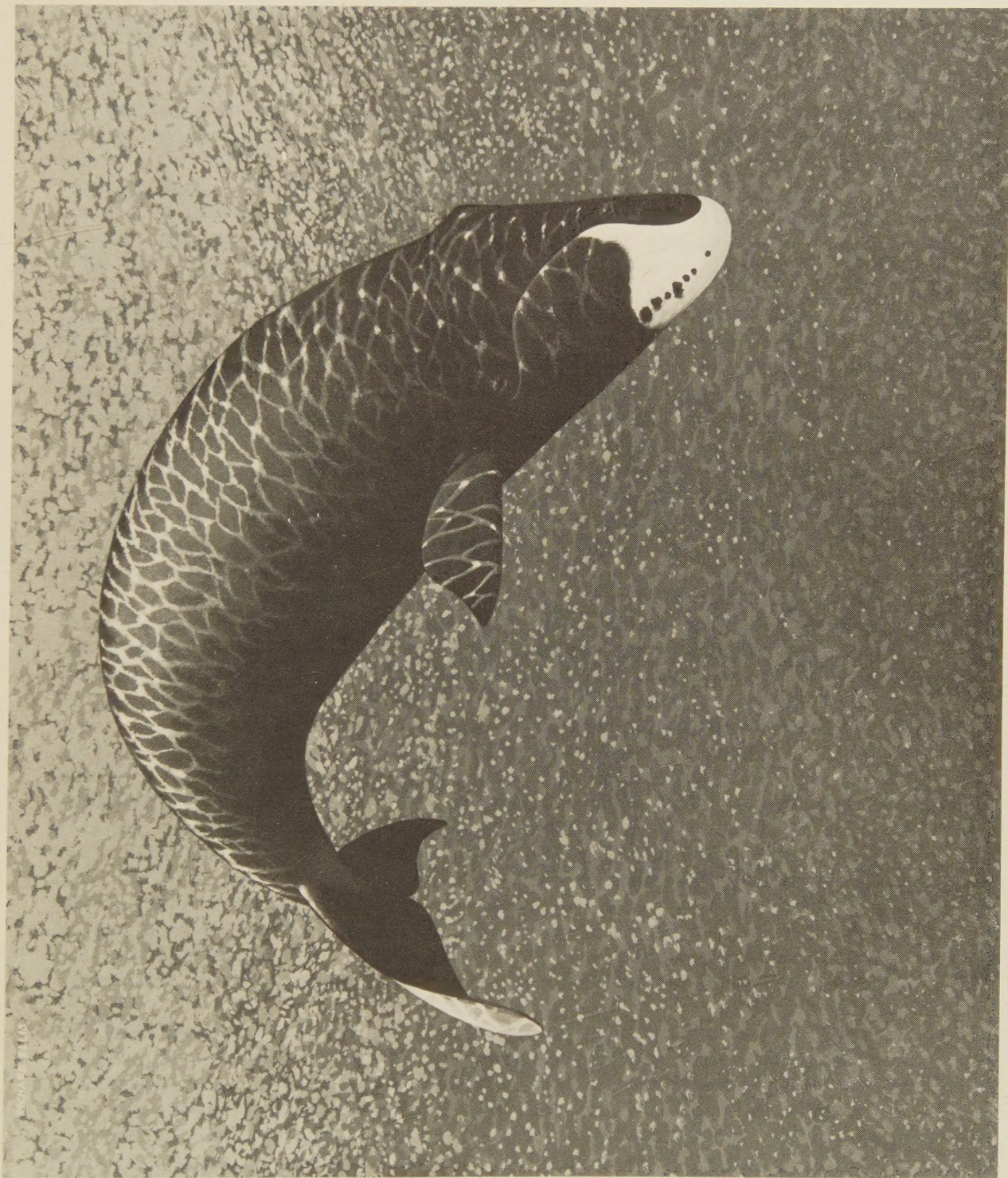
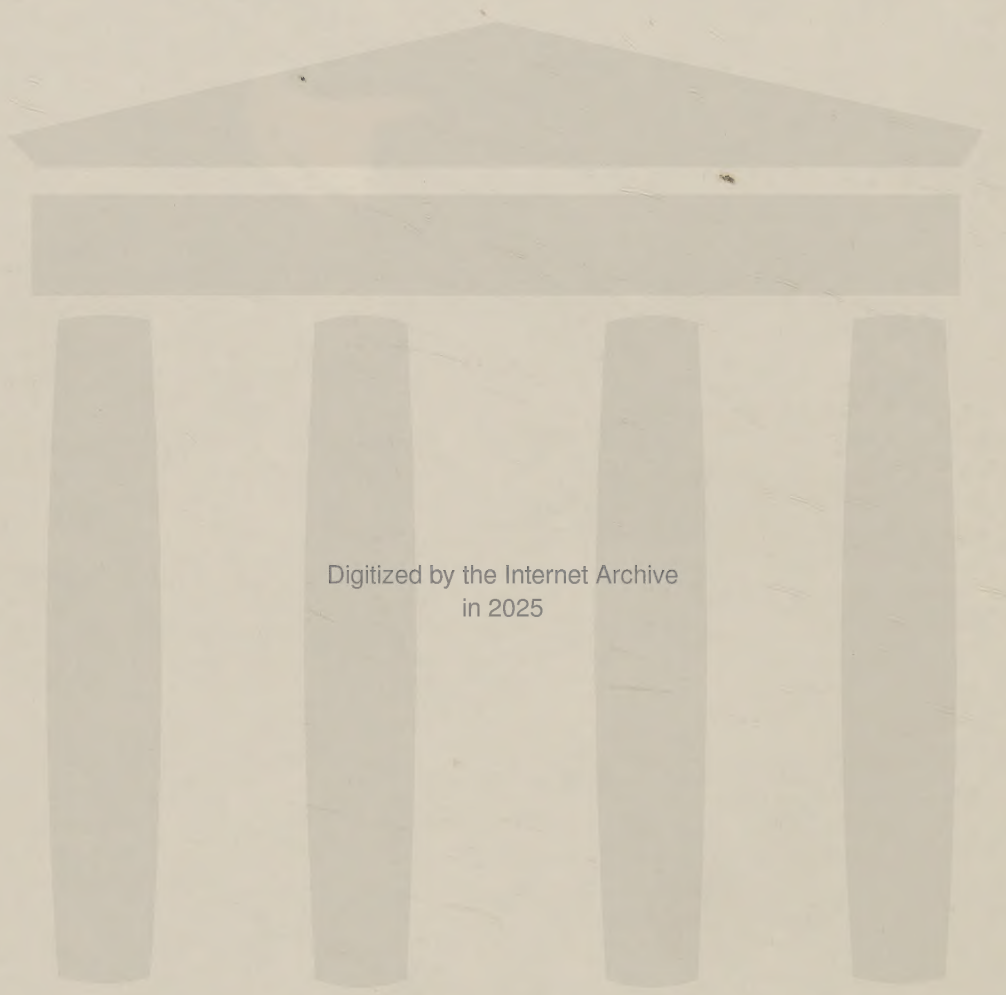


Figure 1.--Painting of bowhead whale by Richard Ellis.



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INTRODUCTION

The marine mammals that are familiar to us today, the dolphins, whales, seals and sea lions, are descendants of a group of mammals that left land for a life in the sea more than 50 million years ago. These warmblooded, air-breathing animals give birth to live young and nourish them with milk. Some of these marine mammal populations are healthy and stable; others, especially those of the great whales, have not recovered from previous years of intense exploitation.

Over the years, many groups in the United States, both public and private, have promoted the conservation of marine mammals. Passage of the Marine Mammal Protection Act of 1972 (the Act or MMPA), however, committed this nation to continuing long-term management and research programs to conserve and protect these animals. The Marine Mammal Protection Act imposed a moratorium on taking and importing marine mammals or their products, with exceptions, in the United States. The Act applies also to persons subject to U.S. jurisdiction on the high seas. In 1976, the Fishery Conservation and Management Act expanded U.S. control of marine mammals to include the 200-mile fishery conservation zone (FCZ).

The Act gave responsibility and authority for oceanic marine mammals to the Secretary of Commerce as the department in which the National Oceanic and Atmospheric Administration (NOAA) operates. The National Marine Fisheries Service (NMFS), under NOAA, is responsible for the order Cetacea (whales and porpoises) and the Suborder Pinnipedia (seals and sea lions), except walruses. The Act gave the Department of the Interior (DOI) responsibility for dugongs, manatees, polar bears, walruses, and sea otters. The moratorium does not apply to mammals already managed under international agreements, such as the northern fur seal. The Act allows the take of marine mammals under permit for scientific research, public display, and incidentally in commercial fishing operations. The Act provides for native take of marine mammals in the North Pacific Ocean and Arctic Ocean, waivers of the moratorium, and for the return of management to the States. Economic hardship and commercial fishing exemption provisions in the Act have expired.

The NMFS makes decisions on requests for waiving the moratorium, issues permits, carries out research programs, enforces provisions of the Act, publishes rules and regulations to manage marine mammals, cooperates with the States, participates in international activities and agreements, and maintains a close working relationship with the Marine Mammal Commission and its Committee of Scientific Advisors which were established by the Act.

The National Marine Mammal Laboratory established in 1979 in Seattle, Wash., addresses marine mammal problems from a national viewpoint and fulfills U.S. commitments under international marine mammal agreements. The laboratory is administered by the Northwest and Alaska Fisheries Center. Other NMFS marine mammal research programs take place at the Southwest Fisheries Center, La Jolla, Calif.; the Southeast Fisheries Center, Miami, Fla.; and the Northeast Fisheries Center, Woods Hole, Mass. Management programs are carried out at NMFS regional offices in Gloucester, Mass.; St. Petersburg, Fla.; Seattle, Wash.; Terminal Island, Calif.; and Juneau, Alaska. This annual report to Congress is available from the Washington, D.C., office of NMFS, Washington, D.C. 20235.

Summary - 1979-80 Program

The Act noted that for many marine mammals, not enough information existed to know how best to protect or manage their populations. Since 1972, NMFS has directed its research and management programs toward a better understanding of all marine mammal populations under its jurisdiction. Along with these programs, NMFS has pursued its mandate to protect marine mammals through international as well as domestic organizations. For example, the United States has supported a moratorium on commercial whaling by the International Whaling Commission (IWC) since 1972. That year, the quotas set by IWC allowed the take of more than 46,000 whales; this year, the permitted take is less than 16,000 whales. Although the complete moratorium proposed by the United States at the 1979 IWC meeting did not pass, we did achieve a moratorium on factory ship operations for all whales other than the small, relatively abundant minke, as well as significant reductions in other commercial catches. The IWC also established a whale sanctuary in the Indian Ocean and set a quota of 18 landed or 26 struck for the 1980 Alaska native hunt of bowhead whales.

For the past 2 years, NMFS has successfully managed the bowhead whale hunt and Eskimo hunters have complied with the quotas established by the IWC. The 1979 hunt ended October 12 when 12 whales had been landed and 27 had been struck. The need for more and better data about the bowhead whale led NMFS to establish an intensive Arctic cetacean research program that would provide a more precise estimate of the population, its size and dynamics, and the impact of the native harvest on this species. Weather conditions hampered the spring 1979 effort to count bowhead whales migrating past Pt. Barrow; however, an excellent estimate of 2,264 bowheads had been obtained in 1978.

The Hawaiian monk seal, declared depleted under the MMPA and endangered under the Endangered Species Act (ESA), was the subject of a draft environmental impact statement (DEIS) issued by NMFS in February 1980 on proposed critical habitat. Counts of this species indicate that most of the populations on the Hawaiian Islands have decreased 50 percent since the late 1950's.

Porpoise mortality caused by the yellowfin tuna purse seine fishery has steadily declined since passage of the MMPA.^{1/} The incidental take of porpoise by the tuna purse seine fishery in 1979 was about 5 percent of the mortality that occurred in 1972 when the MMPA was passed. The allowed quota for 1979 was 41,610; the mortality was estimated at 18,000. NMFS sets quotas on individual stocks of dolphins within the overall allowed total and does not allow any take of certain species. For example, tuna fisherman cannot take any eastern spinner dolphins because they are considered depleted, but they can take varying numbers of spotted dolphins, whitebelly spinner dolphins, etc. At the 1979 Status of Porpoise Stocks Workshop, La Jolla, Calif., the northern offshore spotted dolphin was found not to be within the range of its optimum sustainable population (OSP), the criteria used to determine whether a species can be exploited without harming its population. In February 1980, NMFS issued proposed regulations governing the taking of marine mammals associated with tuna purse seining operations for the remainder of 1980 and 1981. The proposed regulations would accept the findings of the workshop and would prohibit the incidental take of the northern offshore spotted dolphin. The proposed regulations also would make some changes in the requirements for existing gear, observers, and importation. Formal hearings on the proposed regulations began on March 31, 1980.

Extension of the authority of the MMPA to include the 200-mile fishery conservation zone increased the number of general permits issued for incidental take of marine mammals by foreign commercial fishing fleets operating in the zone. A review of the general permit system and an update of information on the status of marine mammals taken incidentally in commercial fishing operations were made at a 1979 workshop in Seattle, Wash. A report based on the workshop has been published and is being used to review applications for general fishing permits.

A permit is required for scientific research or public display of marine mammals. Tables in the Appendix describe the species involved and the actions taken in the permit process. Permit holders are monitored continually to ensure compliance with the conditions of the permit. The Animal and Plant Health Inspection Service (APHIS), Department of Agriculture, the U.S Fish and Wildlife Service (FWS) and NMFS have a cooperative agreement on the humane handling, care, treatment, and transportation of captive marine mammals.

Two major strandings of marine mammals occurred in 1979. One involved a mass stranding of 41 sperm whales in Oregon, and another resulted from an epidemic of viral pneumonia among the resident harbor seal population

^{1/} NMFS uses the term porpoise, rather than dolphin, based on past usage and to prevent confusion with the dolphin fish, an object of sport and commercial fishing. The common name is used, however, when discussing individual species or stock, such as eastern spinner dolphin.

along the New England Coast. NMFS has legal authority over stranded animals, and each region has set up a network to investigate strandings of live or dead animals. The definition of "take" in the MMPA covers the collection of dead animals or their parts.

NMFS enforces the provisions of the MMPA through its law enforcement division. Most violations involve illegally importing marine mammal parts or products into the United States. The division also enforces the tuna/porpoise regulations and the conditions set forth in permits for scientific research and public display.

New legal actions included a suit brought by the American Tunaboat Association concerning the dates of the formal hearings of the proposed regulations on the incidental take of porpoise, a suit brought by groups opposing the Beaufort Sea lease sales, and a suit brought by the Conservation Law Foundation to stop the Georges Bank lease sale off the New England coast.

Two major reports were published in 1979/80 that included new information on the status of marine mammals. Both the Report of the 1979 Status of Porpoise Stocks Workshop and the 1980 Report Based on the Workshop on Stock Assessment and Incidental Take of Marine Mammals Involved in Commercial Fishing Operations are available from the NMFS office, Washington, D.C. 20235.

In 1981, NMFS will publish as a part of this annual report the status of the stocks of all marine mammals that are the responsibility of the Secretary of Commerce.

PART I - MARINE MAMMAL PROGRAM

Bowhead Whale

Management

A management program regulating the take of bowhead whales by Alaska natives was established by NMFS after the IWC set a quota on the number of whales that could be taken in the 1978 season. The MMPA allows for a native subsistence harvest of whales, and before 1977, the IWC did not regulate the native harvest. The IWC responded to a growing concern for the population of bowheads and set a quota for the 1978 hunt of 12 landed or 18 struck, later modified to 14 landed or 20 struck, whichever occurred first. The 1979 quota of 18 landed or 27 struck was reached on October 12, 1979, when 12 whales had been landed and 27 had been struck. Seven whales were landed in the spring and five in the fall. NMFS allocates the quotas among the villages that historically have taken part in the bowhead hunt.

For the past 2 years, Eskimo reporting officers have been the primary contact between NMFS enforcement agents and the whaling crews. These reporting officers and Alaska Eskimo Whaling Commission (AEWC) representatives worked with NMFS agents daily during the whaling season to implement the management program. During the spring 1979 whaling season, an Eskimo from Canada, chosen as an IWC observer, visited several of the Alaska whaling villages.

The IWC set a quota for 1980 of 18 landed or 26 struck, whichever occurs first. A landed whale is counted as a strike, and whales that are struck but lost are counted as strikes.

Research

A research program implemented at the National Marine Mammal Laboratory has been designed to provide a precise estimate of the western Arctic bowhead whale population size, recruitment, distribution and migration routes, and the effect of the Alaska native harvest on these stocks. Unsafe inshore ice conditions hampered the 1979 effort to count whales migrating past Point Barrow by ice camp based observers. Aerial surveys made during the spring migration supported the previous observations that bowheads migrate exclusively in the nearshore lead. Based on observations made in spring 1978, the population of bowhead whales migrating past Alaska Eskimo whaling villages ranged from 1,783 to 2,865 whales, with 2,264 bowheads considered the best estimate. Before the intensive research program began, the bowhead population had been estimated at about 1,300.

Census research is directed primarily at determining relative abundance or change in the population through time. Studies of bowheads were made



Figure 2.--Hawaiian Monk Seals and Albatross Chicks - Photograph by Thomas Loughlin, NMFS.

during cruises in March and April 1979 aboard the icebreaker Polar Sea, cruises aboard ships of opportunity in the Beaufort Sea in the late summer, and a cruise aboard the Soviet vessel Avangard in the western Chukchi and Bering Seas in the fall. These efforts provided information on seasonal distribution and migratory patterns which suggested that breeding may begin as early as March. Cruise results in the fall revealed a population of bowheads in the Chukchi Sea south of the ice front.

Biological work on aging techniques continues. The use of wax ear plugs for this purpose was not effective; however, the use of baleen plates and eye lenses is still under investigation. A biopsy dart was developed and successfully tested for use in 1980 to increase the number of samples available for karyotyping and electrophoretic work that will be used to evaluate stock separations. Stored fatty acids in the blubber layer are being analyzed for their relation to possible prey items. Stomach contents from the five whales taken in the fall were recovered and identified.

Hawaiian Monk Seal

Management

NMFS published a DEIS in February 1980 evaluating critical habitat alternatives for the Hawaiian monk seal. After receiving public comment on the draft, NMFS will hold a public hearing and will issue proposed rulemaking, an economic analysis, and a final environmental impact statement (FEIS) on the designation of critical habitat. The Hawaiian monk seal was declared depleted in July 1976 under the Marine Mammal Protection Act and listed as endangered under the Endangered Species Act (ESA) in November 1976. The Marine Mammal Commission recommended in December 1976 that a portion of the Hawaiian monk seal's range be considered for designation as critical habitat. A recovery team for the Hawaiian monk seal (an ESA requirement) expects to be operating in spring 1980.

Research

A long-term cooperative study of Hawaiian monk seal biology was started in 1976 by biologists at the National Marine Mammal Laboratory; the National Bird and Mammal Laboratory, FWS; and Marine Mammal Commission contract researchers. Surveys were made of the status and trends of the population, and a population and behavioral study was made at Laysan Island, Hawaii in 1977, 1978, and 1979. Recent censuses indicate most island populations have decreased 50 percent, on the average, since the late 1950's. Monk seal populations at Kure, Midway, and Pearl Islands and Hermes Reef declined 70 to 90 percent in the same period. Lisianski and Laysan Island populations have declined 40 to 60 percent, while monk seal populations at French Frigate Shoals and Necker Island increased during the same period.

Incidental Take of Porpoise in the Yellowfin Tuna Fishery

Management

The number of porpoises killed during purse seine fishing for yellowfin tuna is now about 5 percent of the estimated 350,000 mortalities that occurred in 1972. Government actions, including regulations and research, encouragement from environmental groups and concerned citizens, and the cooperation of the tuna fishermen made this dramatic change possible. A 3-year management program (1978-80) includes regulations and sets quotas on the number of porpoises that can be taken by tuna fishermen. A general permit for 1978, 1979, and 1980 was issued under this management program to the American Tunaboat Association.

Table 1. Observed porpoise mortality associated with purse seine fishing for yellowfin tuna

	Allowed quota	Estimated mortality
1976	78,000	104,000
1977	62,429	24,000
1978	51,945	19,000
1979	41,610	18,000
1980	31,150	—

One regulation requires large U.S. tuna purse seine vessels to install a porpoise apron before receiving a 1979 certificate to fish for tuna associated with porpoise and to use specific release procedures on each set involving porpoise. Other regulations require an observer aboard each certified U.S. vessel for at least one trip per year. NMFS observers made 76 trips in 1979 onboard U.S. tuna vessels.

Countries operating tuna purse seine vessels in the Eastern Tropical Pacific Ocean (ETP) must conform with U.S. regulations, such as installing porpoise release gear, before they are allowed to import yellowfin tuna products into this country. NMFS closely monitors the degree of commitment shown by each country to reduce porpoise mortality by its tuna purse seine fleets. Table 1 in the appendix lists the importation status of countries operating purse seine vessels in the ETP.

A film, "Tuna Seining and Porpoise Safety," made by the Tuna/Porpoise Management Branch, Southwest Region, that illustrates the fishing operation from start to finish, including the use of porpoise safety gear and procedures designed to reduce the incidental mortality of porpoise will be used to train tuna/porpoise observers, skippers, and crewmen.

The regulations set quotas on allowed mortality for each individual species and stocks. Further fishing on that stock is prohibited when the quota is reached.

Table 2. Allowed porpoise mortality for individual species and stocks for 1980

<u>Species or stock management units</u>	<u>Allowed mortality 1/</u>
Spotted dolphin (offshore)	21,300
Spinner dolphin (whitebelly)	8,100
Common dolphin (northern)	70
Common dolphin (central)	300
Common dolphin (southern)	1,000
Striped dolphin (northern)	30
Striped dolphin (north equatorial)	280
Bottlenose dolphin	40
Others (includes rough-tooth dolphin, Fraser's dolphin, Risso's dolphin, Pacific whitesided dolphin, and shortfinned pilot whale)	30
Total	31,150

1/ Upper limits of allowable U.S. porpoise mortality for 1980 (42 FR 64548, December 23, 1977).

Research

Research efforts concentrated on understanding the more subtle causes of porpoise mortality by the tuna purse seine fishery. A series of surface and underwater measurements were made in local waters of the Southwest Region in September 1979 to find solutions to mortality that occurs during the backdown procedure used by the purse seiners. Progress has been made also in the development of a mathematical model of the behavior of the purse seine net which will allow investigation of various net designs to reduce mortality.

In 1979, NMFS observed high kill rates of the common dolphin during sets of the purse seine net. As a result, a study will be made of the behavior of this species while it is in the net. The project should provide direction for reducing the mortality of the common dolphin.

The third aerial survey of porpoise populations involved in the tuna purse seine fishery was made during 1979; 288 porpoise herds were sighted. Fifty-eight of these sightings were identified as herds of the four primary species (spotted, spinner, common, and striped dolphins) involved in the fishery. Estimates of population abundance were made for the stocks surveyed and are included in the Report of the Status of Porpoise Stocks Workshop, August 27-31, 1979.

The workshop convened an international group of specialists in population dynamics to reassess the status of the porpoise stocks involved in the tuna fishery. The group reviewed research results on the reproductive biology, age structure, behavior, distribution, density, and fishery-related and natural mortality rates of the dolphin stocks.

At the workshop, new descriptions of the stocks and stock boundaries were given; the net reproductive rates were estimated to be in the range from zero percent to 4 percent; the stock sizes appeared to be lower than previously estimated; the lower boundary of optimum sustainable population was raised to 65-80 percent of the pre-exploitation population size, and all stocks, except for the northern offshore spotted, eastern spinner, and possibly whitebelly spinner dolphin stocks, were found to be within OSP levels.

Proposed Regulations/Northern Offshore Spotted Dolphin

As a result of new biological information presented about the northern offshore spotted dolphin (the species most commonly set on by the tuna purse seine fishery) at the porpoise workshop, NMFS published a DEIS in February 1980 for issuing a general permit governing the taking of marine mammals associated with tuna purse seining operations for the remainder of 1980 and 1981. Public hearings on the proposal began in

March 31 in San Diego. After the Administrative Law Judge makes a recommendation based on the evidence presented at the hearings, the final decision will be made by the Administrator of NOAA.

The proposed action includes a determination that the stock of northern offshore spotted dolphin is depleted. A revised allowable take schedule for nonprohibited species is presented. No direct taking of depleted or other prohibited species would be permitted. Proposed regulations state the accidental take enforcement policy; add to or modify four gear requirements in existing regulations; and modify observer responsibilities and importation documentation requirements. The DEIS includes a description of the affected physical, biological, and socio-economic environment. Adverse economic and cultural impacts of the proposed action are predicted for San Diego, Calif., and Mayaguez and Ponce, Puerto Rico; the domestic tuna fleet; and U.S. consumers.

Marine Mammals - Commercial Fisheries

The Act established a general permit system to allow unavoidable takings of marine mammals caught in commercial fishing gear and to allow fishermen to protect their gear and catch from depredation caused by direct conflict with marine mammals. General permits are applied for by fishermen's associations or individuals representing large blocks of fishermen (e.g., salmon trollers or anchovy seiners). Once a general permit is issued, individual fishermen can apply for Certificates of Inclusion that allow marine mammals to be taken under the provisions of the general permit.

In 1979, general permits were issued to five domestic fishing associations and six foreign fishing associations. (Japan - 3, U.S.S.R. - 1, Poland - 2). Table II in the Appendix lists the general permits applied for in 1979 and includes the number of marine mammals requested and the number of marine mammals authorized to be taken.

The increased number of marine mammals requested to be taken by foreign fishermen under general permit fishing operations within the U.S. fishery zone emphasized the need for a review of the general permit system and a need to update information on the status of marine mammals involved in commercial fishing operations, especially in the North Pacific. A report based on the workshop on stock assessment and incidental take of marine mammals involved in commercial fishing (held in Seattle, Wash., January 1979) is being used to review applications for general permits and certificates of inclusion.

The effects of Fishery Management Plans (FMP) on marine mammals are considered in the Operational Guidelines for the Fishery Management Plan Process, a document used by the Regional Management Councils to prepare the plans that are required by the Fishery Conservation and Management Act. If a marine mammal will be affected by a FMP, the provisions of

the MMPA must be considered. Both draft FMP's and related National Environmental Policy Act (NEPA) documents must identify any potential conflicts between a plan and the MMPA.

State-Federal Contracts

As part of a cooperative State/Federal research program, the Southwest Region and the Southwest Fisheries Center have contracted with the California Department of Fish and Game to survey and assess the involvement of marine mammals in established commercial and recreational fisheries in the State of California. The final report will be used for further development of a coastal marine mammal research and management program which is designed also to aid the State in deciding whether to apply for marine mammal management authority.

The Northwest Region has contracted with the Washington Department of Fish and Game to study fishery and marine mammal interactions on the Columbia River and adjacent waters.

Returning Management of Marine Mammals to Alaska

The decision to return conditionally the management of seven species of marine mammals to Alaska was published January 9, 1979, concurrent with a decision by the U.S. Fish and Wildlife Service to return conditionally the management of three other species. The regulations stipulate that marine mammal management will be returned when Alaska revises its own laws and regulations to conform with the Act and with Federal rules. Changes in State laws and regulations will be subject to public review and comment before the Department of the Interior (DOI) and the Department of Commerce (DOC) give final approval to lifting the present ban.

In 1973, Alaska requested DOI and DOC to waive the Federal moratorium on taking these animals and return management authority to the State. Following lengthy public hearings on Alaska's request, the presiding administrative law judge issued in 1977 a "recommended decision" finding the State's request in accordance with the provisions and policies of the Act. The judge recommended waiving the moratorium, with a limit on the numbers of animals taken annually, and returning management to the State. In March 1978, the two Departments forwarded the Environmental Protection Agency the required FEIS.

Permits for Scientific Research and Public Display of Marine Mammals

The use of marine mammals for research and public display is controlled by permit, letter of Agreement, or other specific authorization. A major objective of this system is to ensure that the removal of animals from the wild will not harm the populations or the ecosystems they inhabit. Permit applications are subject to review by the Marine Mammal Commission and the public. Notices of permit applications, issuances

and modifications appear in the Federal Register. During this reporting period, 65 applications were considered of which 45 have been resolved; 28 permits were issued; and 60 modifications, amendments, or authorizations to permits were made. In addition, NMFS monitored 219 permits with current valid authorizations for take or related activities.

Marine Mammal Care and Maintenance

The Animal and Plant Health Inspection Service (APHIS), Department of Agriculture, published final regulations and standards under the Animal Welfare Act (AWA) governing "Marine Mammals; Humane Handling, Care, Treatment, and Transportation." These standards are incorporated as conditions to all permits issued, both foreign and domestic, that involve captive marine mammals. All permits issued before the publication of these standards have been modified to replace the conditions regarding care and maintenance with the Department of Agriculture's regulations and standards. The three agencies (APHIS, FWS, and NMFS) have entered into a Cooperative Agreement that would ensure that standards are applied uniformly to all marine mammals in captivity; provide appropriate, consistent guidance to persons responsible for the marine mammals; and ensure that all responsibilities of the agencies relative to the humane handling, care, treatment, and transportation of marine mammals are met through the effective use of personnel and the unique capabilities of each agency.

Letters of Agreement

Letters of Agreement have proved an effective way to ensure that live marine mammals not covered by permit are provided the same level of care and maintenance as required for animals taken under permit. Their use is limited to animals already in captivity and usually involves placing rehabilitated beached and stranded animals into a suitable public display facility. For U.S. facilities, a satisfactory inspection by APHIS is required. Animals may be placed in a foreign facility under Letter of Agreement only if the facility holds a valid MMPA permit for the species involved. During this reporting period, 21 Letters of Agreement involving 52 animals were issued.

Management Information System

The computer-based management information system for marine mammal and endangered species permit data (MAMES) has accelerated access to permit records and provides information for statistical and management needs. This system is being expanded to include inventories by species for each facility holding marine mammals under the MMPA.

The following tables, generated by MAMES, appear in the Appendix and provide a detailed overview of the permit program:

- (1) common and scientific names of marine mammals requested in scientific research/public display permit applications (table 3);
- (2) synopsis of permit applications (table 4);
- (3) cetacean take requested in scientific research/public display permit applications (table 5);
- (4) pinniped take requested in scientific research/public display permit applications (table 6);
- (5) cetacean take authorized by scientific research/public display permits (table 7);
- (6) pinniped take authorized by scientific research/public display permits (table 8);
- (7) authorized take for permanent removal from the wild - cetaceans (table 9); and
- (8) authorized take for permanent removal from the wild - pinnipeds (table 10).

Tanners and Agents for Native Handicrafts

Marine mammals can be taken by any Eskimo, Aleut, or Indian who dwells on the coast of the North Pacific Ocean or the Arctic Ocean if the purpose is to create and sell authentic native crafts and clothing. Traditional native handicrafts include weaving, carving, stitching, lacing, beading, drawing, and painting. To produce these articles, the Act permits the services of a tanner to process hides. Tanners and agents must apply for and receive Certificates of Registration in order to possess or handle marine mammal parts and products. Since 1973, 11 tanners and 29 agents have been certified.

Marine Mammal Stranding Network

NMFS encouraged each of its Regions to develop a Marine Mammal Stranding Network following a workshop on strandings sponsored by the Marine Mammal Commission. A stranding organization has been established in each Region and can quickly investigate strandings of live or dead animals. Each network generally has a scientific director and a regional coordinator. Organizations or individuals may apply for memberships. Registered members may collect scientific specimen materials, record the event with the Region, and are obligated to assist Federal and local officials in the disposal of the animal, if dead, and the humane care and treatment, if alive. Records of stranded animals are forwarded to the Scientific Event Alert Network, Smithsonian Institution, Washington, D.C., which publishes the records monthly and maintains them in a central computer file.

Investigation of dead stranded marine mammals can be used as coastal zone indicators to monitor environmental changes, both offshore and in estuaries. For the last 12 years, large collections of frozen tissue have been maintained in freezer banks and are available for the analysis of heavy metals, pesticides, and hydrocarbons. This technique may be an important baseline source of information regarding environmental change in marine ecosystems. Another part of the investigation is to determine if the stranding was a result of any violation of the MMPA.

Two major stranding events occurred in 1979. The first, a mass stranding of 41 sperm whales happened at Florence, Oreg., in June. Members of the Northwest Regional network assisted State and local authorities in investigating and disposing of the carcasses. The Marine Science Center, Oregon State University coordinated the scientific studies. Personnel from the U.S. Forest Service, Portland State University, University of Oregon, the Marine Animal Resource Center, Seattle, Wash., and other groups worked on the project. At the time of the stranding, a professional scientific organization, the American Society of Mammalogists, was holding its annual meeting at Corvallis, Oreg. The stranding provided an opportunity for scientists from several countries to see and work with the sperm whales.

The second stranding occurred in the Northeast and was the result of an epidemic of viral pneumonia that worked its way northward from Cape Cod Bay, Mass., through the resident harbor seal populations. NMFS personnel from the Northeast Region worked with the New England Aquarium, coordinators of the study. The U.S. Fish and Wildlife Service, International Fund for Animal Welfare, Massachusetts General Hospital, Animal and Plant Health Inspection Service, and the Aquarium of Cape Cod assisted in the study. Several laboratories including the World Health Organizations' Microbiology Center are culturing the microbial organisms involved in the epidemic.

Enforcement of the MMPA

The Law Enforcement Division of NMFS enforces the provisions of the MMPA. Most violations involve the alleged illegal importation of marine mammal parts or products. In the Southwest Region (Calif.), however, most law enforcement activities concern the incidental take of porpoise by tuna fishermen.

Contracts to enforce the Act have been renegotiated with the States of California, Florida, Oregon, and Washington. State agencies investigate possible violations of the Act and refer some to NMFS for further action. State officials monitor marine mammal capture operations carried out under permits issued by NMFS and make inspections of marine mammal holding facilities, such as aquariums and zoos.

A Massachusetts man charged by NMFS special agents, indicted by a Federal Grand Jury and ordered to stand trial by a U.S. District Court Judge on a criminal charge of harassing two humpback whales on Stellwagen Bank on June 3, 1979, was found not guilty. The case of a Massachusetts man charged by NMFS special agents with harpooning a dolphin in Cape Cod Bay in September 1979 has been presented to a Federal Grand Jury (February 1980).

Table 3. Law enforcement actions
(April 1, 1979, to March 31, 1980)

Investigations	742
Documented violations	587
Cases closed by civil penalties assessed and/or forfeiture of seized contraband	104
Cases closed as unfounded or for lack of evidence	109
Cases pending	367
Cases closed through successful criminal prosecution	7
Investigations resulting in seizures	338
Illegal items seized from investigations	796
Investigations involving illegal takings. <u>1/</u>	403

1/ The Act defines taking as harassing, hunting, capturing, or killing, or attempting any of these actions.

International Programs

Marine mammals in their wide-ranging migrations transcend geographical and political boundaries far beyond the U.S. 200-mile FCZ. The Act, therefore, includes strong direction on international cooperation and coordination. NMFS represents the United States in many international organizations whose goals are to protect and conserve marine mammals.

International Whaling Commission (IWC)

The U.S. delegation proposed a moratorium on all commercial whaling at the annual meeting held in London, July 9-13, 1979. The IWC adopted a major part of that proposal by enacting a moratorium on factory-ship operations for all species except the minke whale. This decision, in effect, eliminates Soviet commercial whaling in the North Pacific and substantially reduces Soviet and Japanese whaling in the Southern Ocean. Other accomplishments of the meeting included: the creation of a whale sanctuary in most of the Indian Ocean where commercial taking of any whale will be prohibited for 10 years; a worldwide 25-percent reduction in the number of whales that can be taken commercially and a 77-percent reduction in sperm whale catch limits, and establishment of a data processing capability in the IWC.

The United States will continue to press for a moratorium on all commercial whaling, for whaling countries to submit adequate data, for a program that balances the needs of aboriginal peoples and the need to protect whale stocks, and for the elimination of any whaling outside IWC regulations.

Antarctic Living Marine Resources

NMFS took part in negotiations to establish a conservation convention for Living Marine Resources of the Antarctic, a region with abundant marine mammal populations. The purpose of the convention is to protect the Antarctic ecosystem and all marine living resources not already protected under other conventions. A conference to conclude the convention is scheduled for the summer of 1980.

The Convention for the Conservation of Antarctic Seals became effective March 11, 1978, and calls for coordinated management of Antarctic seals and exchange of scientific information. The United States, Belgium, Chile, France, Norway, South Africa, U.S.S.R., and the United Kingdom are parties to the Convention. Argentina, Australia, Japan, and New Zealand have signed, but not ratified the Convention. Chile ratified the Convention in February 1980 with a reservation concerning its territorial jurisdictions.



Figure 3.--Painting of California gray whale and calf by Larry Foster.

North Pacific Fur Seal Commission (NPFSC)

At the 22d meeting of the NPFSC in Washington, D.C., April 1979, the U.S. Scientific Committee reported a decrease in pups born and a continuing decline in the counts of adult female seals on St. George Island. St. George is one of two breeding islands for the northern fur seal in the Pribilof Islands off Alaska. The commercial harvest ended on St. George Island in 1973 when it was set aside as a research study area. A small subsistence harvest by Island residents is allowed. The purpose of the research is to compare the growth and behavior of an unharvested population with that of the harvested Saint Paul Island population.

In 1979, land harvested by the Soviet Union on Robben and Commander Islands in the western North Pacific totalled 5,400 seals. On St. Paul Island, 25,702 male seals, primarily 3 and 4 years old, were commercially harvested.

The NPFSC was established by the Interim Convention on Conservation of North Pacific Fur Seals of 1957. This treaty, among Canada, Japan, the United States and the Soviet Union, prohibits pelagic sealing, provides for coordinated research programs, and arranges for a sharing of skins from seals harvested on land among Party Governments.

Inter-American Tropical Tuna Commission (IATTC)

The international tuna/porpoise program approved by the Commission in 1977 was reviewed at the annual meeting in October in Panama City, Panama. A report was made on the status of the Commission's efforts to place observers on tuna vessels operating in the eastern tropical Pacific. Although the coverage of 78 trips was planned in 1979, only 44 were covered before the end of the year because of administrative difficulties, the transfer of registry involving Canadian and Nicaraguan vessels, and unusually long fishing trips. Thirty-three of the observer cruises were made on U.S. vessels. Mexico restated its commitment to porpoise protection and its intention to continue participation in the Commission's porpoise program, although it withdrew from the Commission in 1979. Efforts are underway to place observers on vessels of non-IATTC members including Venezuela, Netherlands Antilles, and New Zealand. Estimates of porpoise kills compiled from the observer data indicate no statistical difference in the kill rate on U.S. and non-U.S. vessels.

United States - Mexico Discussions

Officials of the U.S. and Mexican governments met in August 1979 to consider the U.S. proposed draft bilateral agreement on marine mammal conservation. The U.S. officials agreed to consider the Mexican view

that the principles in the draft agreement should be accepted by both sides in a protocol to the U.S.-Mexico Agreement on Fisheries of November 1976. The United States expressed support for a separate agreement on marine mammal conservation.

United States and Mexican scientists met twice during the year to share scientific information and to prepare for joint studies of gray whales in calving areas in Mexico. In July 1979, the Mexican Government established San Ignacio Lagoon as a refuge and tourist-marine attraction zone when gray whales are present.

International North Pacific Fisheries Commission (INPFC)

During 1979, the United States and Japan continued cooperative marine mammal research under the terms of a 1978 Memorandum of Understanding (MOU) included as part of the International Convention for the High Seas Fisheries of the North Pacific Ocean. The research focuses on the impact on marine mammals, particularly Dall porpoise, of the incidental take by the Japanese high-seas salmon gillnet fishery. The INPFC Ad Hoc Committee on Marine Mammals held its first meeting at the 1979 Annual Meeting in November, reviewed the marine mammal research undertaken during 1979, and made plans for the 1980 research program.

Convention on Conservation of Migratory Species of Wild Animals

A Conference convened by the Federal Republic of Germany, June 11-23, 1979, in Bonn, successfully negotiated the new Convention on the Conservation of Migratory Species of Wild Animals. Thirty-two nations supported the Convention, none opposed, and 13 nations abstained including the United States, Canada, Japan, Australia, New Zealand and the Soviet Union.

Although the United States did not support the Convention, it supported including marine mammals in the Convention because the Conference accepted modifications to the draft that were requested by the United States. Unacceptable actions, such as including marine fish, caused the United States to abstain. Marine mammals listed on the Appendices of the Convention are:

Appendix I - blue whale, humpback whale, bowhead whale, right whale and Mediterranean monk seal.

Appendix II - beluga whale and Mediterranean monk seal

Species listed on Appendix I are endangered. Those on Appendix II have an "unfavorable conservation status" and require international agreements for their conservation. Species not in an unfavorable condition, but which would benefit from international conservation action, can also be listed on Appendix II.

U.S.-U.S.S.R. Marine Mammal Project, Environmental Protection Agreement

The project provides an opportunity for U.S. and Soviet scientists to collaborate on research into the biology, ecology, and population dynamics of marine mammals of interest to both countries.

During May and June 1979, a Soviet scientist participated in a research study with State of Alaska biologists on the distribution of ringed seals in the Beaufort Sea, the biology and ecology of sea lions in the Gulf of Alaska, and on the distribution and catch of beluga whales in the northern Bering Sea. The scientists exchanged information on research methodology and obtained new data on distribution, population size, and biology.

A Soviet scientist and scientists from Hubbs-Sea World Research Institute (San Diego, Calif.) continued joint studies on color pattern variation of cetaceans and development of new techniques for these studies.

Another Soviet scientist spent 3 months working with NMFS scientists at the Southwest Fisheries Center on functional morphology of small cetaceans. The visit was funded under an exchange agreement between the U.S. and Soviet Academies of Science.

During September and October 1979, three American scientists took part in a research cruise aboard the Soviet whale catcher Avangard in the Bering and Chukchi Seas to study the fall distribution of bowhead and gray whales. An estimated 150 bowhead whales were seen in the southwestern Chukchi Sea; many gray whales were seen in the south-central Chukchi and Bering Strait regions. The American and Soviet researchers obtained biopsy skin samples from bowheads to study chromosome structure for stock differentiation and took extensive samples of water and plankton in an effort to correlate whale distribution and productivity.

Legal Actions

American Tunaboat Association, et al., v. Klutznick, et al.
Civ. No. 79-2033-N, U.S. District Court, Southern District of California

The plaintiffs filed a motion to prevent NMFS from changing the originally announced date for formal hearings to consider proposed regulations regarding incidental taking of porpoise in the eastern tropical Pacific Ocean tuna fishery. The original April 15, 1980, date was moved tentatively by NMFS to February 18, 1980, because of a possible need to adjust the 1980 regulations to take into account new scientific information suggesting that northern offshore spotted dolphin, a major target species of the tuna industry when fishing "on porpoise," may be depleted.

North Slope Borough et al., v. Andrus and Frank, D.D.C. Civil Action No. 79-3193.

National Wildlife Federation et al., v. Andrus and Frank, Civil Action No. 79-3199.

Village of Kaktouik et al., v. Andrus and Frank, Civil No. 79-3216

The three plaintiffs said that the decision of the Secretary of the Interior to proceed with the joint Federal/State of Alaska Beaufort Sea Lease Sale violates Federal law. All three argued that there were procedural and substantive violations of several Federal laws and violations of a trust responsibility to the native American groups. The plaintiffs alleged violations of Section 7 of the Endangered Species Act in the decision to proceed with the sale, including a failure to ensure that the action was not likely to jeopardize the endangered bowhead whale, and that the decision to proceed with the lease was an irreversible commitment of resources which was likely to foreclose reasonable and prudent alternatives in violation of Section 7(d). Two of the plaintiffs also argued that the lease sale would result in a "taking" of marine mammals in violation of the Marine Mammal Protection Act. Judge Robinson of the U.S. District Court for the District of Columbia denied the plaintiffs' motions for preliminary injunction. The Judge is considering cross-motions for summary judgment.

Globe Fur Dyeing Corporation v. United States of America et al., Civil No. 78-0693 (D.D.C.)

In 1979, the plaintiff appealed a decision handed down in November 1978. Briefs have been filed, and the court has held oral argument; no decision has yet been issued.

The case was filed by the Globe Fur Dyeing Corporation which sought to have Section 102(b)(2) of the Marine Mammal Protection Act declared unconstitutional. This provision prohibits the importation of marine mammals including raw, dressed, or dyed fur or skin, if the mammal was nursing at the time of taking or less than 8 months old, whichever occurs later. The plaintiff imported animal skins before passage of the Act.

On November 16, 1978, a Federal judge held that the challenged provision was not unconstitutional and granted the Defendant's (the U.S.) Motion for Summary Judgment. The Judge found this provision rationally related to the goals of the Act, such as conservation and preservation of aesthetic and ethical values.

Hopson v. Kreps, Civil No. A78-184, D.C. Alaska

Alaska natives seeking to invalidate regulations that restrict their taking of bowhead whales filed this case in 1978. During the past year,

plaintiffs filed an appeal and briefs were filed by both parties. The plaintiffs' motion for an expedited appeal was denied by the Ninth Circuit, but at the request of both parties, that motion is being reconsidered.

Conservation Law Foundation et al., v. Andrus and Kreps, Civil Action No. 79-1585 (1st Cir, 1979)

The plaintiffs argued that the Georges Bank Lease Sale #42, off the New England coast, will violate several Federal laws including the prohibition in Section 7(d) of the Endangered Species Act to not make an irreversible commitment of resources which are likely to foreclose reasonable and prudent alternatives that would avoid jeopardizing the right of humpback whales. In denying plaintiffs's motions for a preliminary injunction, the District Court in Massachusetts held that no such commitments were made because lease stipulations conditioned the rights of successful lease applicants. The first Circuit upheld the District Court, finding that the Endangered Species Act will continue to apply to actions taken by the Secretary of Interior subsequent to the lease sale areas.

Cetacean Program

Bottlenose Dolphin

The Southeast Fisheries Center awarded contracts to make aerial surveys of the bottlenose dolphin in three locations in Florida and Texas and to tag and assess the structure and life history of a local herd of dolphins off the Florida coast. These studies are being made because not enough information is known about the population numbers of this popular marine mammal which is frequently requested for public display.

Dall Porpoise

Scientists from the National Marine Mammal Laboratory and the Japanese Fisheries Agency are cooperating in a 3-year research program to evaluate the effect on the Dall porpoise by the Japanese high-seas salmon gillnet fishery. Not enough data existed previously to determine current population size, annual incidental take levels, or the reproductive and natural mortality rates of the affected populations. For 1978 and 1979 the Japanese Fisheries Agency reported a total incidental take of 829 for each year. This figure includes 27 and 20 porpoise, respectively, taken by salmon research vessels. The number of animals taken was substantially lower than the 20,000 annual take estimated from data collected in the 1964-65 fishing season. The decrease has been associated with changes in fishing effort, area, and gear. Before conclusions can be made, however, the relationship between fishing effort and incidental take must be determined.

The Japanese Fishery Agency made available in 1979 a vessel dedicated to marine mammal and salmon research. Studies were made on Dall porpoise acoustics and behavior, the acoustical property of gillnets, and the characteristics of the gillnets in relation to entanglement of marine mammals. Scientific teams were assigned to four Japanese motherships in the 1978 and 1979 salmon fishing season to gather information on incidental take and to obtain biological data and specimens for determining the life history, identity and discreteness of stocks. United States marine mammal biologists made independent sighting surveys on Japanese research vessels; these surveys were used to estimate the abundance and to calculate the distribution and migration of Dall porpoise. A report evaluating the data collected during the 3-year study will be available in 1981.

Gray Whale

Management. In 1978, the IWC removed the gray whale from protected status because the population had been restored to precommercial exploitation levels. An increasing number of people, however, watch the gray whale's yearly migration along the Pacific coast; these observations may harm the whales. As a result, the NMFS published guidelines for whale watching off the California coast. Failure to observe the guidelines may be interpreted as harassment, an illegal activity under the MMPA. The Southwest Regional Office published a brochure about the gray whale, including the guidelines, in cooperation with the American Cetacean Society. Copies are available from the NMFS Southwest Region, 300 S. Ferry Street, Terminal Island, Calif. 90731.

Research. During the first year of a 5-year cooperative research program with scientists from the Mexican Department of Fisheries, a census of gray whales was taken, a photoidentification study was made, and 29 whales were visually tagged in Laguna Ojo de Liebre, Baja California. Six stranded animals were found and measured, and two were autopsied.

Annual shore censuses of southward migrating gray whales have been made for the past 12 years from points near Monterey, Calif. A series of aerial transects and ground truth studies were made during the 1978/79 southward migration to determine what proportion of whales pass out of sight of the shore observers and to identify and measure observer bias in estimating the number of individuals in each group and its distance from shore. Gray whale censuses are also made in Alaska. Census data indicate about 16,500 gray whales migrated through this area. An estimated 11,929 gray whales migrated south out of the Bering Sea past Cape Sarichef, Unimak Pass, Alaska, during November and December 1978.

Humpback Whales

Management. Over 60 percent (650) of the entire North Pacific population of the humpback whale winter in the coastal waters off the

main islands of Hawaii. These marine giants have been slow to recover from years of overexploitation; only about 5 percent of the estimated original population exists today. NMFS published a Notice of Interpretation (NOI) in the Federal Register, January 4, 1979, of "taking by harassment" of humpback whales in the Hawaiian Islands area to protect the humpback from a rapidly growing number of whale watchers. Portions of the NOI have been summarized in a brochure distributed to private boaters, whale watchers, airlines serving Maui, and the general public.

Research. A census of humpback whales that winter on the shallow banks around the main Hawaiian Islands was made in February 1979, resulting in a count of 425 whales, compared with 364 in 1976, 409 in 1977, and 321 in 1978. Estimates indicate that the total population on the 1,978 square miles of the banks is between 550 and 790, with a mean estimate of 650. The most important areas are Penguin Bank with 307 whales, and the Auau Channel and confluent waters in the lee of Molokai and Maui with 172 whales.

Whale Stock Assessment. Studies continue at the National Marine Mammal Laboratory to assess the effects of whaling on the status of whale stocks under IWC management jurisdiction. Scientists are reviewing theory on the population and ecosystem dynamics of whales and are developing an automated retrieval system for whaling data from all ocean areas.

Pinnipeds on San Miguel Island, Calif.

Six species of pinnipeds, the California sea lion, northern sea lion, northern fur seal, Guadalupe fur seal, harbor seal, and northern elephant seal, haul out on San Miguel Island. The Northwest and Alaska Fisheries Center has studied the population, biology, and behavior of these marine mammals since the discovery of a northern fur seal breeding colony at Adams Cove in 1968. The fur seal colony has grown each year, although the most dramatic increase has occurred since 1973. In 1977, 421 pups were born on the Adams Cove Rookery, and in 1978, 635 pups were born, representing the greatest single successive year increase in the pup population (50.8 percent) since studies began. In 1979, 834 pups were born, a 31-percent increase over 1978. The number of fur seal pups born on Castle Rock, a small islet 2 miles north of the west end of San Miguel Island, has also increased from 95 in 1972, the year of its discovery, to 653 in 1979.

The California sea lion population appears to have stabilized with 7,000 to 8,000 pups born each year from 1975 to 1978 (about a 20-percent increase from the early 1970's). The count of pups born in 1979 was 8,800. California sea lions and northern fur seals compete for rookery space, because both species pup and breed at the same time at Adams Cove

and Castle Rock. Studies of interactions between the two species suggest that the less abundant northern fur seal is slowly displacing the California sea lion.

The Pribilof Islands Program - Northern Fur Seal

The Fur Seal Act of 1966 charges the Secretary with management of the northern fur seal and administration of the Pribilof Islands. This Act implements the Interim Convention on Conservation of North Pacific Fur Seals by providing for an annual seal harvest and for scientific research on the fur seal ecosystem. The Act further provides for the employment of Aleut residents in the seal harvest and for the social and economic needs of the Island communities.

Federal involvement is gradually diminishing on the Pribilof Islands as the Aleut people assume greater responsibility for municipal functions. For example, in 1979 the community of St. George took over the operation of their grocery store and the City of St. Paul now manages the St. Paul Airport. The Aleut residents of the Pribilof Islands are exploring new economic pursuits that will further decrease dependence on Federal programs. The transfer of most Federal land and buildings to the village corporations was completed on January 18, 1979, and only about 3 percent of the land on St. George and 5 percent of the land on St. Paul is now federally owned.

The Interim Convention on Conservation of North Pacific Fur Seals will expire in October 1980, unless the Party Governments (Canada, Japan, the Soviet Union and the United States) agree to extend the terms of this treaty. In July 1979, NMFS published a draft environmental impact statement (DEIS) that outlined the alternatives of extension, renegotiation, or termination of this treaty. Both the biological consequences and the social and economic impacts on the Aleut residents of the Pribilof Islands are detailed in this document. In January 1980, following hearings on the draft EIS, consideration of public comments and consultation with interested groups, other agencies and Party Governments, NMFS recommended to the Department of State that the Convention be extended for 4 additional years, with minor modification in the enforcement provisions to reflect extended fishery jurisdictions. A Protocol extending the treaty, accompanied by a final EIS, will be sent to the U.S. Senate for ratification prior to the October 1980 expiration date.

Funding

Currently available funding for marine mammal related activities in fiscal year 1980 (October 1, 1979, through September 30, 1980) is \$7,823,000 with 102 positions. Last fiscal year, FY 1979, \$7,337,000 and 104 positions were appropriated. Funding authorization is extended from the Marine Mammal Protection Act, Endangered Species Act, Fur Seal Act, and other sources. Funding for the Pribilof Islands program (\$5,708,000 in 1979 and \$5,715,000 in 1980) is authorized through the Fur Seal Act.



Figure 4.--Painting of blue whale and calf by Larry Foster.

PART II - APPENDIXES

Appendix A - Tables.

Tables 1-2 - Incidental take of marine mammals/commercial fishing operations.

Tables 3-10 - Scientific research and public display permits.

Appendix B - Laws and treaties governing the protection of marine mammals.

Appendix C - Federal Register notices and regulations.

Table 1. List of Nations Determined To Be Operating Tuna Purse Seine Vessels in the Eastern Tropical Pacific Ocean and Their Importation Status in 1979

Nation	Date of "Finding" of Conformance with U.S. Regulations	Date of Subsequent Import Prohibition	Purse Seiners Operating in CYRA 1/		
			Number	Capacity 2/	Percent Capacity 3/
Bermuda	January 20, 1978		6	2,671	1.46
Canada	October 27, 1977		1	(b)	-
Congo	September 5, 1978	(a) February 20, 1980	2	4,002	2.19
Costa Rica	February 6, 1978	(a)	12	9,227	5.05
Ecuador	October 27, 1977		40	7,413	4.06
Korea	October 1, 1979		1	(b)	-
Mexico	October 27, 1977		25	14,622	8.00
Netherlands Antilles	October 27, 1977		8	9,338	5.11
New Zealand	August 16, 1978		1	(b)	-
Nicaragua	December 22, 1977		2	3,800	2.08
Panama	December 30, 1977		5	6,766	3.70
Peru			9	4,416	2.42
Senegal	September 5, 1978	January 1, 1978 (a)	3	2,258	1.24
Spain	September 5, 1978	February 1, 1980	2	1,429	0.78
Venezuela	July 17, 1978	(a)	2	2,222	1.22
Total of (b)			-	2,274	1.24
U.S.A.			<u>140</u>	<u>112,154</u>	<u>61.42</u>
Total			260	182,592	

1/ Controlled yellowfin regulatory area.

2/ Carrying capacity in U.S. short tons.

3/ Rounded.

(a) Tuna products currently embargoed under provisions of the Fishery Conservation and Management Act.

TABLE 2

1979 GENERAL PERMITS - COMMERCIAL FISHING INCIDENTAL TAKE

14

Permits	Pinnipedia			Cetacea			Total
	Otariidae	Phocidae					
	Applied for	Applied for	Applied for	Applied for	Applied for	Applied for	Allowed
	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	
Category 1							
Domestic (PCFFA)	500	350	500	250	0	0	1,000 (1/29/79)
Japan (Deep Sea)	65	65	3	3	0	0	68 (11/28/78)
Japan (Medium)	0	0	0	0	0	0	0 (11/28/78)
Towed or USSR (Sovrybflot)	1,501	450	6	6	8	8	1,515 (12/12/78)
Dragged Poland (Odra/Dalmor)	25	25	25	25	19	19	69 (2/16/79)
Gear Domestic (Chipman)	3/ 10	-	10	-	0	0	20 (2/7/79)
Sub-total	2,101	890	544	284	27	27	2,672
Category 3							
Domestic (PCFFA)	800	300	800	400	90	40	1,690 (1/29/79)
Domestic (Chipman)	3/ 10	-	10	-	0	0	20 (2/7/79)
Domestic (UFOSC)	3/ 800	-	800	-	90	-	1,690 (3/9/79)
Encircling Gear, Not Involving Intentional Taking							
Sub-total	1,610	300	1,610	400	180	40	3,400
Category 4							
Domestic (PCFFA)	80	40	80	50	0	0	160 (1/29/79)
Domestic (Chipman)	3/ 10	-	10	-	0	-	20 (2/7/79)
Stationary Gear							
Sub-total	90	40	90	50	0	0	180
Category 5							
Domestic (PCFFA)	1,800	450	1,800	600	160	40	3,760 (1/29/79)
Japan (Longline)	2/ 0	0	0	0	0	0	0 (11/28/78)
Domestic (Chipman)	3/ 10	-	10	-	0	-	20 (2/7/79)
Domestic (UFOSC)	3/ 1,200	-	800	-	230	-	2,230 (3/9/79)
Other Gear							
Sub-total	3,010	450	2,610	600	390	40	6,010
Total	6,811	1,680	4,854	1,334	597	107	12,262
							3,121

1/ Except Category 2; Encircling Gear, Involving the Intentional Taking of Marine Mammals.

2/ Requested harassment only, no mortality or serious injury intended.

3/ Application withdrawn for consolidation with PCFFA general permit

Table 3

COMMON AND SCIENTIFIC NAMES OF MARINE MAMMALS INVOLVED IN
SCIENTIFIC RESEARCH/PUBLIC DISPLAY PERMIT APPLICATIONSCETACEANS

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>
Atlantic White-Sided Dolphin	<u>Lagenorhynchus acutus</u>
Baird's Beaked Whale	<u>Berardius bairdii</u>
Black Right Whale	<u>Balaena glacialis</u>
Blainville's Beaked Whale	<u>Mesoplodon densirostris</u>
Blue Whale	<u>Balaenoptera musculus</u>
Bottlenose Dolphins	<u>Tursiops sp.</u>
Bottlenose Whales	<u>Hyperoodon sp.</u>
Bowhead Whale	<u>Balaena mysticetus</u>
Bryde's Whale	<u>Balaenoptera edeni</u>
Common Dolphin	<u>Delphinus delphis</u>
Cuvier's Beaked Whale	<u>Ziphius cavirostris</u>
Dall Porpoise	<u>Phocoenoides dallii</u>
Dusky Dolphin	<u>Lagenorhynchus obscurus</u>
Dwarf Sperm Whale	<u>Kogia simus</u>
False Killer Whale	<u>Pseudorca crassidens</u>
Fin Whale, Finback	<u>Balaenoptera physalus</u>
Finless Porpoise	<u>Neophocaena phocaenoides</u>
Fraser's (Sarawak) Dolphin	<u>Lagenodelphis hosei</u>
Gray Whale	<u>Eschrichtius robustus</u>
Harbor Porpoise	<u>Phocoena phocoena</u>
Hubb's Beaked Whale	<u>Mesoplodon carlhubbsi</u>
Humpback Whale	<u>Megaptera novaeangliae</u>
Killer Whale	<u>Orcinus orca</u>
Lagenorhynchine Dolphins	<u>Lagenorhynchus sp.</u>
Long-Finned Pilot Whale	<u>Globicephala melaena</u>
Melon-Headed Whale, Electra	<u>Peponocephala electra</u>
Minke Whale	<u>Balaenoptera acutorostrata</u>
Northern Right Whale Dolphin	<u>Lissodelphis borealis</u>
Pacific White-Sided Dolphin	<u>Lagenorhynchus obliquidens</u>
Pilot Whales	<u>Globicephala sp.</u>
Pygmy Killer Whale	<u>Feresa attenuata</u>
Pygmy Sperm Whale	<u>Kogia breviceps</u>
Right Whales	<u>Balaena sp.</u>
Risso's Dolphin, Grampus	<u>Grampus griseus</u>
Rough-Toothed Dolphin	<u>Steno bredanensis</u>
Sei Whale	<u>Balaenoptera borealis</u>
Short-Finned Pilot Whale	<u>Globicephala macrorhynchus</u>
Southern Right Whale	<u>Balaena australis</u>
Sperm Whale	<u>Physeter catodon</u>
Spinner Dolphin	<u>Stenella longirostris</u>

Table 3 (continued)

CETACEANS

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>
Spotted Dolphin	<u>Stenella frontalis</u>
Spotted Dolphin	<u>Stenella attenuata</u>
Stenelline Dolphins	<u>Stenella sp.</u>
Striped Dolphin, Streaker	<u>Stenella coeruleoalba</u>
Unspecified Cetacea	<u>Cetacea</u>
Unspecified Toothed Whales	<u>Odontoceti</u>
Vaquita, Cochito	<u>Phocoena sinus</u>
White Whale	<u>Delphinapterus leucas</u>
White-Beaked Dolphin	<u>Lagenorhynchus albirostris</u>

PINNIPEDS

Amsterdam Island Fur Seal	<u>Arctocephalus tropicalis</u>
Arctocephaline Fur Seals	<u>Arctocephalus sp.</u>
Baikal Seal	<u>Phoca sibirica</u>
Bearded Seal	<u>Erignathus barbatus</u>
California Sea Lion	<u>Zalophus californianus</u>
Caspian Seal	<u>Phoca caspica</u>
Crabeater Seal	<u>Lobodon carcinophagus</u>
Gray Seal	<u>Halichoerus grypus</u>
Guadalupe Fur Seal	<u>Arctocephalus townsendi</u>
Harbor Seals	<u>Phoca vitulina</u>
Harp Seal, Greenland Seal	<u>Phoca groenlandica</u>
Hawaiian Monk Seal	<u>Monachus schauinslandi</u>
Kerguelen Fur Seal	<u>Arctocephalus gazella</u>
Largha Seal, Spotted Seal	<u>Phoca largha</u>
Leopard Seal	<u>Hydrurga leptonyx</u>
Northern Elephant Seal	<u>Mirounga angustirostris</u>
Northern Fur Seal	<u>Callorhinus ursinus</u>
Northern Sea Lion	<u>Eumetopias jubatus</u>
Ribbon Seal	<u>Phoca fasciata</u>
Ringed Seal	<u>Phoca hispida</u>
Ross Seal	<u>Ommatophoca rossii</u>
South African Fur Seal	<u>Arctocephalus pusillus</u>
South American Sea Lion	<u>Otaria flavescens</u>
Southern Elephant Seal	<u>Mirounga leonina</u>
Unspecified Marine Mammals	<u>Unspecified Marine Mammals</u>
Unspecified Pinnipedia	<u>Pinnipedia</u>
Walrus	<u>Odobenus rosmarus</u>
Weddell Seal	<u>Leptonychotes weddelli</u>

TABLE 4
SYNOPSIS OF PERMIT APPLICATIONS

	AS OF MARCH 31, 1979			APRIL 1, 1979		TO MARCH 31, 1980		AS OF MARCH 31, 1980 CUMULATIVE TOTAL
	SCIENTIFIC RESEARCH	PUBLIC DISPLAY	SCIENTIFIC AND PUBLIC DISPLAY	SCIENTIFIC RESEARCH	PUBLIC DISPLAY	SCIENTIFIC RESEARCH	PUBLIC DISPLAY	
NO. OF APPLICATIONS SUBMITTED	150	196	6	21	29	3		405
NO. OF ANIMALS REQUESTED (TOTAL) OF THESE:	533,916	1,036	270	20,544	116	101		555,983
TAKEN BY KILLING	18,031	0	0	1,150	0	0		19,181
TAKEN AND KEPT ALIVE	273	923	83	4	64	12		1,359
KILLED IN CAPTIVITY	49	0	0	0	0	0		49
TAKEN AND RELEASED	509,553	0	175	6,732	0	88		516,548
FOUND DEAD	969	0	0	525	0	0		1,494
STRANDED/EXCHANGED	60	60	2	4	42	1		169
IMPORTS	1,281	53	10	25	10	0		1,379
HARASS	3,700	0	0	12,104	0	0		15,804
ACTION TAKEN								
NO. OF APPLICATIONS FORWARDED TO MARINE MAMMAL COMMISSION	121	148	5	16	18	1		309
NO. OF APPLICATIONS REVIEWED BY MARINE MAMMAL COMMISSION	119	145	5	14	14	0		297
NO. OF APPLICATIONS WITHDRAWN	5	16	1	0	0	0		22
NO. OF APPLICATIONS REFERRED TO FISH AND WILDLIFE	0	0	0	0	0	0		0
NO. OF APPLICATIONS REFERRED TO STATES	13	1	0	0	0	0		14
NO. OF APPLICATIONS REFERRED TO REGIONS	4	10	0	0	2	1		17
NO. OF APPLICATIONS RESOLVED THROUGH AGREEMENT	1	2	0	0	0	0		3
NO. OF APPLICATIONS RETURNED DUE TO INSUFFICIENT OR INAPPROPRIATE SUBMITTAL	7	23	0	4	4	1		39
NO. OF APPLICATIONS DENIED	2	6	0	0	1	0		9
NO. OF APPLICATIONS APPROVED	118	138	5	12	9	0		282
NO. OF APPLICATIONS PENDING	0	0	0	5	13	1		19
NO. OF ANIMALS APPROVED (TOTAL) OF THESE:	532,206	656	263	16,873	40	0		550,038
TAKEN BY KILLING	17,501	0	0	150	0	0		17,651
TAKEN AND KEPT ALIVE	249	569	78	4	20	0		920
KILLED IN CAPTIVITY	49	0	0	0	0	0		49
TAKEN AND RELEASED	508,568	0	175	6,630	0	0		515,373
FOUND DEAD	847	0	0	0	0	0		847
STRANDED/EXCHANGED	55	45	0	4	16	0		120
IMPORTS	1,219	42	10	25	4	0		1,300
HARASS	3,718	0	0	10,060	0	0		13,778

TABLE 5

NUMBER OF CETACEANS REQUESTED IN SCIENTIFIC RESEARCH/PUBLIC DISPLAY PERMIT APPLICATIONS(1)

COMMON NAME(2)	R E Q U E S T E D				R E Q U E S T E D				R E Q U E S T E D				CUMULAT- IVE TOTAL
	TAKEN BY KILLING	TAKEN AND ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	FOUND STRND	TAKEN BY KILLING	TAKEN AND ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	FOUND STRND	TAKEN AND ALIVE	KILLED IN CAPTIVITY	
	AS OF	MARCH 31, 1979	APRIL 1, 1979	THRU	MARCH 31, 1980								
BAIRD'S BEAKED WHALE	---	---	---	25	---	---	---	---	---	---	---	---	31
BLACK RIGHT WHALE	---	---	---	10	---	---	---	---	---	---	---	---	10
BLUE WHALE	---	---	---	95	---	---	---	---	---	---	---	---	95
BOTTLENOSE DOLPHINS	---	---	---	50,899	3	---	55	---	400	6	---	---	51,917
BOWHEAD WHALE	---	---	---	50	130	---	---	---	---	---	---	---	180
BRYDE'S WHALE	---	---	---	420	---	---	---	---	---	---	---	---	420
COMMON DOLPHIN	---	---	---	75,777	3	---	---	---	---	6	---	---	75,987
CUVIER'S BEAKED WHALE	---	---	---	---	---	---	---	---	---	---	---	---	2
DALL'S PORPOISE	---	---	---	610	3	---	---	---	300	15	---	---	928
DUSKY DOLPHIN	---	---	---	61	---	---	---	---	---	---	---	---	61
FALSE KILLER WHALE	---	---	---	6	---	---	---	---	---	---	---	---	20
FIN WHALE, FINBACK	---	---	---	395	---	---	---	---	---	---	---	---	395
FINLESS PORPOISE	---	---	---	---	---	---	---	---	---	---	---	---	6
FRASEK'S (SARAWAK) DOLPHIN	---	---	---	1,050	---	---	---	---	---	---	---	---	1,120
GRAY WHALE	---	---	---	419	86	---	---	---	---	---	---	---	505
HARBOR PORPOISE	---	---	---	100	4	---	12	---	88	45	---	---	249
HUBBS' BEAKED WHALE	---	---	---	---	3	---	---	---	---	3	---	---	6
HUMPBACK WHALE	---	---	---	140	---	---	---	---	50	---	---	---	190
KILLER WHALE	---	---	---	85	23	---	1	---	---	---	---	---	122
LONG-FINNED PILOT WHALE	---	---	---	30	30	---	---	---	---	---	---	---	60
MELON-HEADED WHALE, ELECTRA	---	---	---	300	---	---	---	---	---	---	---	---	349
MINKE WHALE	---	---	---	810	3	---	---	---	---	---	---	---	813
NORTHERN RIGHT WHALE DOLPHIN	---	---	---	130	3	---	---	---	---	15	---	---	150
PACIFIC WHITE-SIDED DOLPHIN	---	---	---	521	3	---	---	---	---	45	---	---	594
PILOT WHALES UNSPECIFIED	---	---	---	---	---	---	---	---	---	---	---	---	4
PYGMY KILLER WHALE	---	---	---	300	---	---	---	---	---	---	---	---	353
PYGMY SPERM WHALE	---	---	---	---	3	---	---	---	---	3	---	---	6
RISSE'S DOLPHIN, GRAMPUS	---	---	---	1,105	---	---	---	---	---	15	---	---	1,200
ROUGH-TOOTHED DOLPHIN	---	---	---	5,050	---	---	---	---	---	---	---	---	5,129
SEI WHALE	---	---	---	480	---	---	---	---	---	---	---	---	480
SHORT-FINNED PILOT WHALE	---	---	---	135	3	---	---	---	---	30	---	---	265
SPERM WHALE	---	---	---	1,035	---	---	---	---	---	---	---	---	1,035
SPINNER DOLPHIN	---	---	---	103,955	---	---	---	---	65	---	---	---	106,976
SPOTTED DOLPHIN	---	---	---	4,925	---	---	---	---	---	---	---	---	162,775
STENELLINE DOLPHINS	---	---	---	157,840	---	---	---	---	---	---	---	---	118
STRIKED DOLPHIN, STREAKER	---	---	---	100	3	---	---	---	---	---	---	---	50,150
UNSPECIFIED CETACEA	---	---	---	50,050	---	---	---	---	---	---	---	---	1,587
VAQUITA, COCHITO	---	---	---	1,239	---	---	---	---	2	---	---	---	2
WHITE WHALE	---	---	---	---	2	---	---	---	---	---	---	---	125
WHITE-BEAKED DOLPHIN	---	---	---	---	50	---	---	---	---	---	---	---	2
TOTALS:(3)	8,944	734	0	453,222(4)	355	0	68	0	905	189	464,417		

(1) SPECIMEN IMPORTS NOT INCLUDED IN THIS TABLE.

(2) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

(3) WHERE PERMIT APPLICANTS REQUESTED A TOTAL NUMBER OF ANIMALS TO BE TAKEN WITHOUT SPECIFYING THE NUMBER TO BE TAKEN FROM A PARTICULAR SPECIES, THE NUMBER REQUESTED WAS LISTED UNDER UNSPECIFIED CETACEA.

(4) A SINGLE APPLICATION REQUESTED 432,850 CETACEANS AND ACCOUNTS FOR NEARLY THE TOTAL NUMBER OF CETACEANS REQUESTED IN THE TAKEN AND RELEASED CATEGORY.

TABLE 6

NUMBER OF PINNIPEDS REQUESTED IN SCIENTIFIC RESEARCH/PUBLIC DISPLAY PERMIT APPLICATIONS(1)

COMMON NAME(2)	R E Q U E S T E D AS OF MARCH 31, 1979			R E Q U E S T E D APRIL 1, 1979 THRU MARCH 31, 1980			CUMULAT- IVE TOTAL REQUESTED
	TAKEN BY KILLING	TAKEN AND KEPT ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	FOUND DEAD/ STRND	TAKEN AND KEPT ALIVE	FOUND AND DEAD/ STRND
ARCTOCEPHALINE FUR SEALS	2	---	---	80	---	---	---
BAIKAL SEAL	---	4	---	---	---	---	82
BEARDED SEAL	330	---	---	950	10	---	4
CALIFORNIA SEA LION	680	457	---	1,065	286	21	1,510
CASPIAN SEAL	---	2	---	---	---	---	2,665
CRABEATER SEAL	2,688	---	---	8,425	---	---	2
GRAY SEAL	---	30	---	---	---	---	11,113
HARBOR SEALS	1,586	101	---	4,880	64	4	30
HARP SEAL, GREENLAND SEAL	---	40	---	---	---	---	7,000
HAWAIIAN MONK SEAL	---	2	---	1,108	---	---	40
KERGUELEN FUR SEAL	131	---	---	750	---	---	1,110
LARGHA SEAL, SPOTTED SEAL	220	---	---	600	---	---	881
LEOPARD SEAL	588	8	---	2,700	---	---	1,020
NORTHERN ELEPHANT SEAL	---	13	---	12,758	281	---	3,296
NORTHERN FUR SEAL	---	32	---	---	3	---	18,856
NORTHERN SEA LION	645	---	---	12,500	11	---	35
RIBBON SEAL	330	---	---	100	---	---	13,261
KINGED SEAL	710	8	---	1,254	25	---	530
ROSS SEAL	273	6	---	885	---	---	2,277
SOUTH AFRICAN FUR SEAL	---	6	---	10	---	---	1,164
SOUTH AMERICAN SEA LION	---	9	---	---	---	3	16
SOUTHERN ELEPHANT SEAL	133	---	---	260	---	---	12
UNSPECIFIED MARINE MAMMALS	---	---	---	---	50	---	393
UNSPECIFIED PINNIPEDIA	---	---	12	---	---	---	50
WALRUS	200	---	---	---	---	---	12
WEDDELL SEAL	571	25	37	8,471	---	200	400
WEST INDIAN MANATEE	---	1	---	---	---	---	9,104
TOTALS: (3)	9,087	744	49	56,796	730	28	74,864
						0	365
							5,915

(1) SPECIMEN IMPORTS NOT INCLUDED IN THIS TABLE.

(2) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

(3) WHERE PERMIT APPLICANTS REQUESTED A TOTAL NUMBER OF ANIMALS TO BE TAKEN WITHOUT SPECIFYING THE NUMBER TO BE TAKEN FROM A PARTICULAR SPECIES THE NUMBER REQUESTED WAS LISTED UNDER UNSPECIFIED PINNIPEDS OR UNSPECIFIED MARINE MAMMALS, IF CETACEANS ALSO WERE INVOLVED.

TABLE 7

NUMBER OF CETACEANS AUTHORIZED IN SCIENTIFIC RESEARCH/PUBLIC DISPLAY PERMIT APPLICATIONS (1)

COMMON NAME (2)	A U T H O R I Z E D AS OF MARCH 31, 1979				A U T H O R I Z E D APRIL 1, 1979 THRU MARCH 31, 1980				CUMULAT- IVE TOTAL AUTHORIZED
	TAKEN BY KILLING	TAKEN AND KEPT ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	FOUND DEAD/ STRND	TAKEN AND KEPT KILLING ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	
ATLANTIC WHITE-SIDED DOLPHIN	---	---	---	5	---	---	---	---	5
BLACK RIGHT WHALE	---	---	---	10	---	---	---	---	10
BLUE WHALE	---	---	---	70	---	---	---	---	70
BOTTLENOSE DOLPHINS	70	338	---	50,904	---	25	---	400	51,737
BOWHEAD WHALE	---	---	---	50	130	---	---	---	180
BRYDE'S WHALE	---	---	---	410	---	---	---	---	410
COMMON DOLPHIN	155	38	---	75,777	---	---	---	---	75,970
DALL'S PORPOISE	---	---	---	610	---	---	---	300	910
DUSKY DOLPHIN	---	---	---	61	---	---	---	---	61
FALSE KILLER WHALE	---	12	---	6	---	---	---	---	18
FIN WHALE, FINBACK	---	---	---	370	---	---	---	---	370
FRASER'S (SARAWAK) DOLPHIN	70	---	---	1,050	---	---	---	---	1,120
GRAY WHALE	---	---	---	419	85	---	---	---	504
HARBOR PORPOISE	---	---	---	105	1	---	---	---	106
HUMPBACK WHALE	---	---	---	100	---	---	---	50	150
KILLER WHALE	---	8	---	85	---	1	---	---	94
LONG-FINNED PILOT WHALE	---	---	---	30	30	---	---	---	60
MELON-HEADED WHALE, ELECTRA	45	4	---	300	---	---	---	---	349
MINKE WHALE	---	---	---	800	---	---	---	---	800
NORTHERN RIGHT WHALE DOLPHIN	---	---	---	130	---	---	---	---	130
PACIFIC WHITE-SIDED DOLPHIN	---	17	---	521	---	---	---	---	538
PYGMY KILLER WHALE	45	4	---	300	---	---	---	---	349
RISSO'S DOLPHIN, GRAMPUS	70	8	---	1,105	---	---	---	---	1,183
ROUGH-TOOTHED DOLPHIN	70	9	---	5,050	---	---	---	---	5,129
SEI WHALE	---	---	---	470	---	---	---	---	470
SHORT-FINNED PILOT WHALE	70	24	---	135	---	---	---	---	229
SPEAR WHALE	---	---	---	860	---	---	---	---	860
SPINNER DOLPHIN	2,929	21	---	103,955	---	---	---	65	106,970
SPOTTED DOLPHIN	4,925	10	---	157,840	---	---	---	---	162,775
STENELLINE DOLPHINS	---	15	---	100	---	---	---	---	115
STRIPED DOLPHIN, STREAKER	100	---	---	50,050	---	---	---	---	50,150
UNSPECIFIED CETACEA	340	6	---	914	---	---	---	---	1,260
VAGUITA, COCHITO	---	---	---	---	2	---	---	---	2
WHITE WHALE	15	20	---	---	50	---	---	---	85
WHITE-BEAKED DOLPHIN	---	2	---	---	---	---	---	---	2
TOTALS: (3)	8,904	536	0	452,592(4)	298	0	26	815	0 463,171

(1) SPECIMEN IMPORTS NOT INCLUDED IN THIS TABLE.

(2) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

(3) WHERE A PERMIT SPECIFIED THE TOTAL NUMBER OF ANIMALS TO BE TAKEN WITHOUT SPECIFYING THE NUMBER TO BE TAKEN FROM A PARTICULAR SPECIES AUTHORIZED WAS LISTED UNDER UNSPECIFIED PINNIPEDS OR UNSPECIFIED MARINE MAMMALS IF CETACEANS WERE ALSO INVOLVED.

(4) A SINGLE PERMIT AUTHORIZED 432,850 CETACEANS AND ACCOUNTS FOR NEARLY THE TOTAL NUMBER AUTHORIZED IN THE TAKEN AND RELEASED CATEGORY.

TABLE 8

NUMBER OF PINNIPEDS AUTHORIZED IN SCIENTIFIC RESEARCH/PUBLIC DISPLAY PERMIT APPLICATIONS(1)

COMMON NAME(2)	A U T H O R I Z E D AS OF MARCH 31, 1979				A U T H O R I Z E D APRIL 1, 1979 THRU MARCH 31, 1980				CUMULAT- IVE TOTAL AUTHORIZED
	TAKEN BY KILLING	TAKEN AND KEPT ALIVE	KILLED IN CAPTIVITY	TAKEN AND RELEASED	FOUND DEAD/ STRND	TAKEN BY KILLING	TAKEN AND KEPT ALIVE	KILLED IN CAPTIVITY	FOUND AND DEAD/ STRND
ARCTOCEPHALINE FUR SEALS	2	---	---	80	---	---	---	---	---
BAIKAL SEAL	---	4	---	---	---	---	---	---	82
BEARDED SEAL	330	---	---	950	10	---	---	---	4
CALIFORNIA SEA LION	680	311	---	1,035	273	---	6	---	1,290
CASPIAN SEAL	---	2	---	---	---	---	---	---	2,314
CRABEATER SEAL	2,688	---	---	8,425	---	---	---	---	2
GRAY SEAL	---	24	---	5	---	---	---	---	11,113
HARBOR SEALS	1,296	68	---	4,535	29	---	---	---	29
HARP SEAL, GREENLAND SEAL	---	40	---	---	---	---	---	---	6,128
HAWAIIAN MONK SEAL	---	---	---	1,108	---	---	---	---	40
KERGUELEN FUR SEAL	131	---	---	750	---	---	---	---	1,108
LARGHA SEAL, SPOTTED SEAL	220	6	---	600	---	---	---	---	881
LEOPARD SEAL	588	8	---	2,700	---	---	---	---	826
NORTHERN ELEPHANT SEAL	---	6	---	12,758	278	150	---	---	3,296
NORTHERN FUR SEAL	---	20	---	---	---	---	---	---	18,811
NORTHERN SEA LION	630	---	---	12,500	8	---	---	---	20
RIBBON SEAL	330	---	---	100	---	---	---	---	13,138
RINGED SEAL	710	8	---	1,254	25	---	---	---	430
ROSS SEAL	273	6	---	885	---	---	---	---	1,997
SOUTH AFRICAN FUR SEAL	---	---	---	10	---	---	---	---	1,164
SOUTH AMERICAN SEA LION	---	9	---	---	---	---	---	---	10
SOUTHERN ELEPHANT SEAL	133	---	---	260	---	---	3	---	12
UNSPECIFIED MARINE MAMMALS	15	---	---	15	---	---	---	---	393
UNSPECIFIED PINNIPEDIA	---	---	12	---	25	---	---	---	30
WEDDELL SEAL	571	25	37	8,471	---	---	---	---	37
TOTALS: (3)	8,597	537	49	56,441	648	150	9	0	5,815
									13
									72,259

(1) SPECIMEN IMPORTS NOT INCLUDED IN THIS TABLE.

(2) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

(3) WHERE A PERMIT SPECIFIED THE TOTAL NUMBER OF ANIMALS TO BE TAKEN WITHOUT SPECIFYING THE NUMBER TO BE TAKEN FROM A PARTICULAR SPECIES AUTHORIZED WAS LISTED UNDER UNSPECIFIED PINNIPEDS OR MARINE MAMMALS IF CETACEANS WERE ALSO INVOLVED.

TABLE 9
SUMMARY OF PERMITS FOR PERMANENT REMOVAL FROM THE WILD - CETACEANS
AS OF MARCH 31, 1980

SPECIES(1)	***** PERMITS *****		CURRENT	***** REQUESTED AUTHORIZED REPLACEMENTS *****		***** NUMBER OF ANIMALS *****		***** AUTHORIZATION *****		***** TAKE *****	
	ISSUED	EXPIRED		REQUESTED	AUTHORIZED	EXPIRED	TAKEN (2)	REMAINING			
BOTTLENOSE DOLPHINS	63	27	36	441	427	17	118	226	104		
COMMON DOLPHIN	6	3	3	201	193	5	144	26	28		
FALSE KILLER WHALE	4	1	3	12	12	0	2	1	9		
FRASER'S (SARAWAK) DOLPHIN	2	2	0	70	70	0	70	0	0		
MELON-HEADED WHALE, ELECTRA	3	3	0	49	49	0	47	2	0		
PACIFIC WHITE-SIDED DOLPHIN	4	1	3	17	17	0	2	13	12		
PYGMY KILLER WHALE	3	3	0	49	49	0	49	0	0		
RISSO'S DOLPHIN, GRAMPUS	4	2	2	78	78	0	70	1	7		
ROUGH-TOOTHED DOLPHIN	5	4	1	79	79	2	75	4	2		
SHORT-FINNED PILOT WHALE	11	9	2	95	94	3	80	11	6		
SPINNER DOLPHIN	4	3	1	2,956	2,950	3	2,793	151	10		
SPOTTED DOLPHIN	3	2	1	4,935	4,935	0	4,712	225	10		
STENELLINE DOLPHINS	1	0	1	15	15	0	0	0	15		
STRIPED DOLPHIN, STREAKER	1	1	0	100	100	0	100	0	0		
UNSPECIFIED CETECEA	2	2	0	346	346	0	346	1	0		
WHITE WHALE	1	0	1	15	15	0	0	1	15		
TOTAL NUMBER OF ANIMALS:				9,458	9,429	30	8,608	662	218		

(1) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

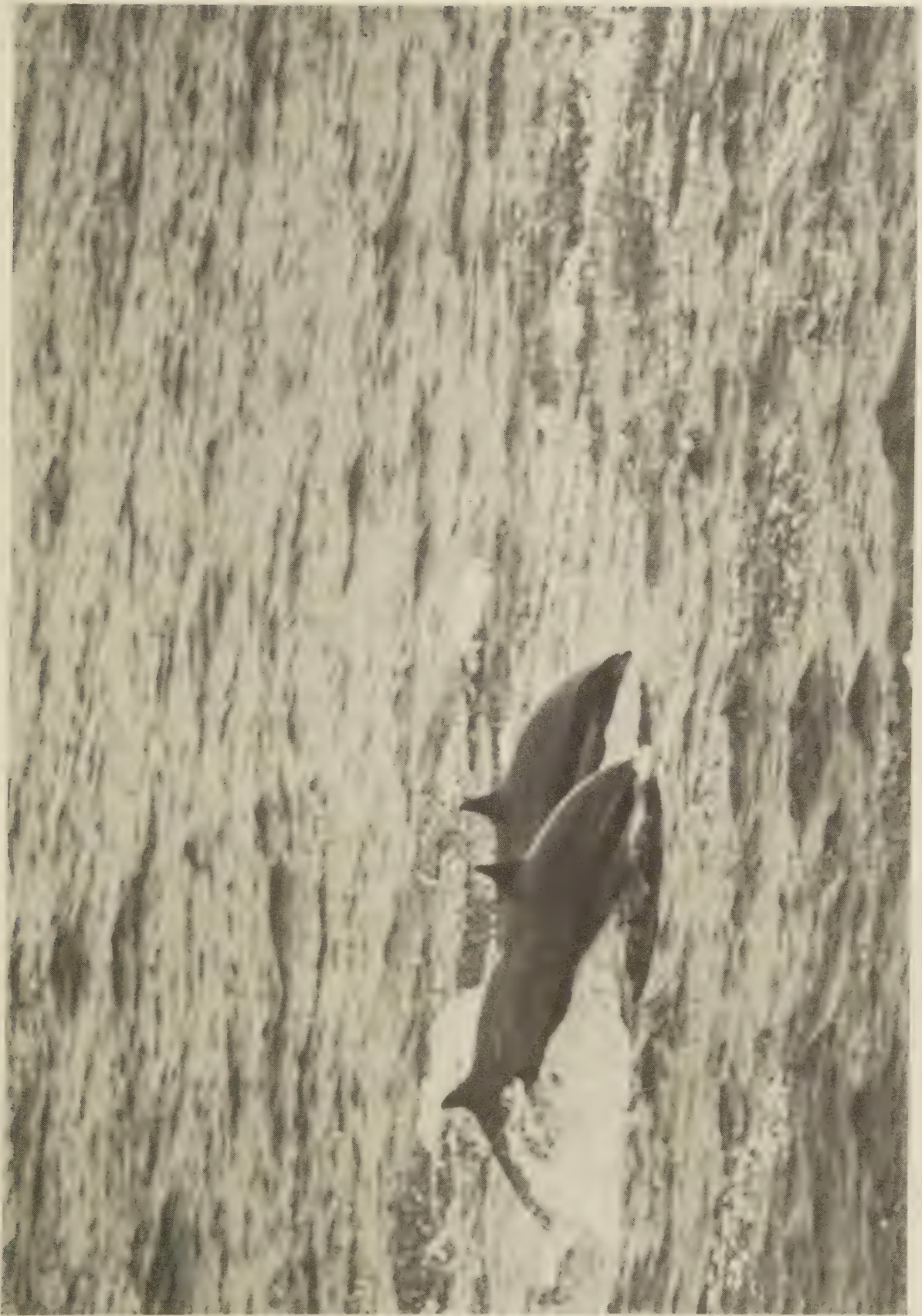
(2) ANIMALS TAKEN INCLUDE THOSE INADVERTENTLY KILLED DURING THE COURSE OF RESEARCH AUTHORIZING TYPES OF OTHER THAN PERMANENT REMOVAL.

TABLE 10
SUMMARY OF PERMITS FOR PERMANENT REMOVAL FROM THE WILD - PINNIPEDS
AS OF MARCH 31, 1980

SPECIES(1)	***** ISSUED	***** EXPIRED	***** PERMITS CURRENT	***** REQUESTED	***** AUTHORIZED	***** REPLACEMENTS	***** NUMBER OF ANIMALS AUTHORIZATION TAKEN (2) TAKE	***** EXPIRED	***** REMAINING
ARCTOCEPHALINE FUR SEALS	1	1	0	2	2	0	0	2	0
BEARDED SEAL	5	2	3	330	330	0	0	83	84
CALIFORNIA SEA LION	71	38	33	1,008	995	13	114	250	163
CRABEATER SEAL	4	2	2	2,688	2,688	0	0	127	649
HARBOR SEALS	26	15	11	1,372	1,350	0	0	321	2,553
KERGUELEN FUR SEAL	2	1	1	131	131	0	0	6	701
LARGHA SEAL, SPOTTED SEAL	4	1	3	220	226	0	0	3	0
LEOPARD SEAL	4	2	2	588	588	0	0	28	125
NORTHERN ELEPHANT SEAL	1	0	1	150	150	0	0	0	164
NORTHERN FUR SEAL	2	1	1	20	20	0	0	0	542
NORTHERN SEA LION	5	1	4	630	630	0	0	10	1
RIBBON SEAL	5	2	3	330	330	0	0	10	10
RINGED SEAL	6	2	4	710	710	0	0	110	257
ROSS SEAL	4	2	2	273	273	0	0	382	159
SOUTHERN ELEPHANT SEAL	3	2	1	133	133	0	0	8	215
UNSPECIFIED MARINE MAMMALS	1	0	1	0	15	0	0	8	1
UNSPECIFIED PINNIPEDIA	1	1	0	12	12	3	3	0	264
WEDDELL SEAL	5	2	3	608	608	0	0	15	0
TOTAL NUMBER OF ANIMALS:				9,205	9,191	16	1,250	59	516
								1,739	6,235

(1) PLEASE REFER TO TABLE 3 OF THIS APPENDIX FOR THE APPROPRIATE SCIENTIFIC NAMES.

(2) ANIMALS TAKEN INCLUDE THOSE INADVERTENTLY KILLED DURING THE COURSE OF RESEARCH AUTHORIZING TYPES OF TAKE OTHER THAN PERMANENT REMOVAL.



Appendix B

Laws and Treaties Governing the Protection of Marine Mammals

Every marine mammal of U.S. concern is protected by one or more U.S. laws or acts, and the conservation of some species is partially assured by international treaty or law. A summary of laws, conventions, and commissions designed to protect marine mammals follows.

United States Laws and Treaties

1. Marine Mammal Protection Act of 1972: A U.S. Federal law that prohibits persons under the jurisdiction of the United States from taking, harassing, or importing any marine mammal or its byproducts into the United States, except when authorized to do so by special permit. Eskimos, Aleuts, and Indians of the North Pacific and Arctic Oceans can take marine mammals for subsistence and for creating and selling handicraft items and clothing as long as the stocks can support the harvest.

2. Endangered Species Act of 1973: This U.S. Federal law provides a program for the conservation of species that are either endangered now or threatened with extinction within the foreseeable future and their dependent ecosystems, and to implement international conservation conventions. With limited exceptions, the Act prohibits the taking, importing, exporting, and interstate commerce of any endangered species, as well as their parts or products. Exceptions include: permits for scientific purposes or the enhancement of propagation or survival of the species, economic hardship exemptions, and subsistence taking by Alaska natives. For threatened species, the Act authorizes the issuance of protective regulations as necessary for their conservation. To accomplish its purposes, the Act authorizes the acquisition of land; authorizes cooperative agreements with States which have an adequate conservation program, including Federal funding of up to two-thirds (or three-fourths when entered with more than one State); prohibits Federal agencies from taking any action that would jeopardize the continued existence of an endangered or threatened species or result in the destruction or modification of its critical habitat unless an exception is granted by the Endangered Species Committee; requires the development of recovery plans; and provides for civil and criminal penalties. Marine mammals under the jurisdiction of NMFS and listed as endangered species are the blue whale, bowhead whale, fin whale, gray whale, humpback whale, right whales, sei whale, sperm whale, Caribbean monk seal, Hawaiian monk seal, and Mediterranean monk seal.

3. Convention on International Trade in Endangered Species of Wild Fauna and Flora: The Convention, which entered into force on July 1, 1975, provides additional protection for the following marine mammals

under the jurisdiction of NMFS: Appendix I--blue whale, bowhead whale, gray whale, humpback whale, right whales, certain stocks of fin and sei whales, Ganges River dolphin, humpbacked dolphin, Indus River dolphin, white flag dolphin, finless porpoise, cochito (porpoise), Caribbean monk seal, Hawaiian monk seal, Mediterranean monk seal, and northern elephant seal; Appendix II--certain stocks of fin and sei whales, and all other cetaceans, southern elephant seal, Amsterdam Island fur seal, Galapagos fur seal, Guadalupe fur seal, Juan Fernandez fur seal, Kerguelen fur seal, New Zealand fur seal, Southern (South American) fur seal, and South African fur seal. Trade is more strictly controlled for Appendix I animals than for Appendix II animals. The U.S. Management Authority for the Convention (U.S. Department of the Interior) controls the import, export, re-export, and introduction from the sea of convention animals through a system of permits and enforcement. Implementation by regulating commerce began May 23, 1977.

4. International Whaling Convention: The IWC was established under a convention signed in Washington, D.C., in December 1946. The membership includes all countries that catch significant numbers of whales except Chile, Peru, Portugal, and Spain. The IWC is responsible for whale conservation worldwide. Since 1964, the IWC has acted to bring world whaling under control by prohibiting the taking of some species, sharply reducing the authorized catches of species in certain areas, establishing catch quotas by species and stocks, and implementing an international observer plan for checking compliance with quotas and regulations at land stations and on factoryships. The IWC now regulates the harvest of Bryde's, fin, minke, sei, and sperm whales. An IWC subcommittee has been established to review problems relating to cetaceans. The blue, bowhead, gray, humpback, and right whales are completely protected, except for some hunting by aborigines.

5. Whaling Convention of 1949 brought into force the International Convention for the Regulation of Whaling signed on December 2, 1946, by the United States and certain other governments. Article III of the International Convention established the IWC.

6. The Whale Conservation and Protection Study Act of 1976: The Act requires the Secretary of Commerce to make a comprehensive study of all whales found in waters subject to the jurisdiction of the United States, including the 200-mile fishery conservation zone. A report that includes suggested recommendations and legislation is due to Congress January 1, 1980.

7. Interim Convention on North Pacific Fur Seals: The convention, ratified in 1957, prohibits most citizens of Canada, Japan, the U.S.S.R., and United States from taking northern fur seals. The exceptions are aboriginal Eskimos, Aleuts, and Indians, who may take them only at sea and by primitive methods. The convention also provides for intensive research on this species by the four countries. The United States and U.S.S.R. commercially harvest northern fur seals on their breeding grounds and regulate the kills on a scientific basis.

8. Fur Seal Act of 1966 brought into force the Interim Convention on North Pacific Fur Seals.

9. International Convention for the Conservation of Antarctic Seals, 1972: The purpose of this convention is to safeguard all species of Antarctic seals and to ensure that, if commercial sealing begins on floating ice of the Southern Ocean, the taking of any species will be subject to strict limitations to prevent overexploitation or damage to their ecosystem. Measures adopted under the Antarctic Treaty of 1959 provide only for the protection of seals and other animals around the shoreline of the Antarctic Continent, but not on floating ice. The convention of 1972 may be applicable to crabeater, leopard, Ross, southern elephant, southern fur seals, and Weddell seals south of latitude 60° south. The Ross, southern elephant, and southern fur seals are protected species, and no taking is permitted.

Miscellaneous Regulations and Agreements of U.S. Interest

1. International Convention for the Northwest Atlantic Fisheries: Under terms of a convention signed in 1949, ICNAF is responsible for the investigation, protection, and conservation of the fisheries of the Northwest Atlantic. On January 1, 1977, Canada extended its jurisdiction over fisheries to 200 miles. To avoid conflicts in 1977 between Canadian and international regulations, Canada agreed to adopt ICNAF regulations for the 1978 harvest of harp seals and hooded seals.

An amendment to the ICNAF Convention adopted in December 1976 allows the Commission to give scientific advice for management of fisheries within natural fishery limits if requested by a coastal state that is a party to the Convention.

A panel of ICNAF scientists recommended a kill of 180,000 harp seals for the entire northwest Atlantic for 1979. Canada appears to have completed the transition from international to Canadian management of harp and hooded seals within the limits of Canadian fisheries jurisdiction. The United States withdrew from the ICNAF in December 1976 to conform with provisions in the Fishery Conservation and Management Act.

2. Canadian Norwegian Agreement on Sealing: On December 22, 1971, these two governments ratified an agreement on sealing and the conservation of seal stocks in the Northwest Atlantic. The agreement applies to the harp seal, but provision is made for extension to hooded and bearded seals and to the walrus.

3. Harp Seal: The U.S.S.R. and Norway signed an agreement in 1958 entitled "Preservation of Seals in the Greenland Sea." The agreement provides for the regulation of harp seal catches by these two nations. The U.S.S.R., however, has not hunted harp seals since 1965.

4. Gray Seal: The U.S.S.R. has prohibited (since 1970) the hunting of gray seals for sport and by amateurs, but permits the taking of these animals for subsistence. Canada uses an 1886 law for authority in regulating the take of gray seals. England has prohibited the hunting of gray seals on the Farne Islands since 1932 and on Orkney Island since 1923. Norway has forbidden hunting at Sor Trondelag since 1923. Finland and Sweden offer bonuses for gray seals taken.

5. Hooded Seal: Canada and Norway prohibit the taking of hooded seals near Newfoundland before March 10, near Jan Mayen Island before March 13, in Denmark Strait from June 15 to July 15, and in northern waters from March 20 to May 5. The U.S.S.R. and Norway in 1958 agreed to prohibit the harvest of hooded seals near Jan Mayen Island before March 13 and banned hunting in Denmark Strait.

6. U.S.S.R. Regulations (from the Russian Publication, "Rules for Protecting and Harvesting Marine Mammals," July 11, 1975:

a. Under these regulations, a series of protective and conservation measures were adopted. Sport and hobby (recreational) hunting of any marine mammal is prohibited everywhere and throughout the year. Rookeries and hauling grounds are protected. Capture by use of poisons, certain firearms, and hook and line gear is prohibited at sea as well as fishing or harassment by vessels or aircraft within certain distances of various islands inhabited by marine mammals. The regulations include other prohibitions designed to protect marine mammals and their ecosystems.

b. The U.S.S.R. has established closed seasons on vessel and shore harvest of ribbon, ringed, and harbor seals (and the ice-dwelling form of the harbor seal, the largha seal). The regulations allow short periods of harvest of white coats, yearlings, and adults in the Okhotsk and Bering Seas. Short harvest periods are allowed in the northern commercial areas (White, Barents, and eastern Arctic Sea areas) on harp,

hooded, and ringed seals. The harvests in the Jan Mayen area are adjusted by international agreement. Taking of bearded seals and belukhas (white whales) is allowed in Arctic areas primarily for subsistence purposes.

7. Guadalupe fur seal: Mexico has safeguarded the breeding grounds of the Guadalupe fur seal on the Guadalupe Islands by making this island a wildlife refuge.

8. South American fur seal: The Uruguayan and Argentinian Governments protect the South American fur seal on land and out to 200 miles at sea. The Uruguayan Government also regulates the harvest by protecting all female seals except the 1 year olds, controlling take of pups by seasonal restrictions, and imposing quotas in some instances.

9. South African fur seal: The harvest of South African fur seals is largely a state enterprise in South Africa; however, the system includes one of control and leasing of rookeries to private contractors. The South West African Administration has not entered the harvesting business, but licenses private firms, restricts gear to be used, establishes closed seasons, and places limits on sex and condition of catch.

10. Narwhal: Canada allows Eskimos to take five narwhals annually for personal use and issues permits to capture this mammal for exhibition.

11. Killer whale: Canada allows this species to be taken under a permit system.

Appendix C

Notices and Regulations

Final rules and regulations are reprinted each year in the Code of Federal Regulations (CFR). Copies of the following rules, regulations, and notices published in the FEDERAL REGISTER are available from the Office of Marine Mammals and Endangered Species, National Marine Fisheries Service, Washington, D.C. 20235.

1. Notices and regulations relating to the bowhead whale.

44 FR 19408 (April 3, 1979) - Final regulations implementing 1979 quota for taking Bering Sea stock of bowhead whales by native (Indian, Aleut, and Eskimo) subsistence whalers of 18 landed or 27 struck, conferring licenses, and defining prohibited acts. (See 44 FR 5916, 9608, 59911(2), 76536.)

44 FR 59911 (October 17, 1979) - Amendment to regulations for Bering Sea stock of bowhead whales, allowing the Assistant Administrator for Fisheries to close the whaling season when the overall bowhead quota has been reached. (See 44 FR 5916, 9608, 19408, 59911, 76536.)

44 FR 59911 (October 17, 1979) - Notice of closure of bowhead whaling season, 1979 quota reached. (See 44 FR 5916, 9608, 19408, 59911, 76536.)

45 FR 4366 (January 22, 1980) - Proposed rules to implement the 1980 management program for the taking of Bering Sea stock of bowhead whales of 18 landed or 26 struck, whichever occurs first. (See FR 59911(2), 76536.)

45 FR 20486 (March 28, 1980) - Final rules implementing the 1980 quota for Bering Sea stock of bowhead whales; 18 landed or 26 struck among villages, prohibiting killing of a calf or whale accompanied by a calf, minimizing licensing requirements, allowing salvage of stinkers, requiring oral reports, and providing penalties for violations. (See 45 FR 4366.)

2. Notices and regulations relating to the incidental taking of marine mammals in the course of commercial fishing operations.

44 FR 20440 (April 5, 1979) - Prohibition of take incidental to commercial fishing operations in 1979 of northern stock of common dolphin; 1979 quota exceeded.

44 FR 21800 (April 12, 1979) - Prohibition of take incidental to commercial fishing operations in 1979 for northern stock of striped dolphin; 1979 quota exceeded.

44 FR 27404 (May 10, 1979) - Prohibition of take incidental to commercial fishing operations in 1979 for central and southern stocks of common dolphin; 1979 quota of central stock exceeded, 1979 quota of southern stock will be met by implementation date.

44 FR 34963 (June 18, 1979) - Interim final regulation clarifying the period during which observers may remain aboard tuna purse seine vessels by defining terms in the regulations governing the taking of marine mammals incidental to commercial fishing operations in the eastern tropical Pacific Ocean during 1978-80.

44 FR 57100 (October 4, 1979) - Notice of determination that the Republic of Korea is in substantial conformance with U.S. regulations governing the taking of marine mammals incidental to fishing operations.

45 FR 7262 (February 1, 1980) - Prohibition of take incidental to commercial fishing operations in 1980 of northern stock of common dolphins; 1980 quota exceeded.

45 FR 9284 (February 12, 1980) - Notice of noncompliance of the Government of Senegal with U.S. regulations governing the take of marine mammals incidental to yellowfin tuna purse seine fishing operations; yellowfin tuna and yellowfin tuna products no longer allowed entry into the United States.

45 FR 12468 (February 26, 1980) - Notice of prohibition on taking northern striped dolphin incidental to commercial fishing operations; 1980 quota exceeded.

45 FR 13094 (February 28, 1980) - Notice of noncompliance of the Government of the People's Republic of the Congo with U.S. regulations governing the take of marine mammals incidental to yellowfin tuna purse seine fishing operations; yellowfin tuna and yellowfin products no longer allowed entry into the United States.

3. Miscellaneous notice and regulations.

44 FR 21288 (April 10, 1979) - Final regulation that determines the Caribbean monk seal to be an endangered species throughout its range, adding it to the List of Endangered and Threatened Wildlife. (See 42 FR 9402.)

44 FR 76536 (December 27, 1979) - Final rule amending Schedule of the International Convention for the Regulation of Whaling for Southern Hemisphere 1979/80 pelagic season and 1980 coastal season, and for Northern Hemisphere 1980 season. (See 44 FR 5916, 19408, 59911(2), 45 FR 4366.)

45 FR 11134 (February 20, 1980) - Final ruling; deletion of regulations governing issuance of licenses and maintenance records under the Whaling Convention Act of 1949, 50 CFR Part 230, superseded by the Marine Mammals Protection Act of 1972 and the Endangered Species Act of 1973 as amended.

